

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***September 21, 2026 at 7:00 p.m.***

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

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Announcements/Presentations***
  - a. Introduce Honorary Council Member
  - b. Present Proclamation recognizing September as “Childhood Cancer Awareness Month”
  - c. Present Proclamation recognizing October 4, 2026 as “Farm Heritage Day”
  - d. Present Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award
5. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the 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 September 8, 2026
  - b. Minutes of the City Council special meeting of September 1, 2026

- c. Downtown Building Improvement Program Grant Application for 114 W. Main
  - d. Downtown Building Improvement Program Grant for 208 W Main and 105 N Rogers
  - e. Omnibus Ordinance authorizing the release from the City of Waxahachie's Extraterritorial Jurisdiction (ETJ) of five (5) designated tracts comprising ten (10) parcels of land totaling approximately 71.99 acres, known as Case Nos. ETJ-PTN-80-2026, ETJ-PTN-107-2026, ETJ-PTN-108-2026, ETJ-PTN-116-2026, and ETJ-PTN-120-2026, requested by multiple property owners pursuant to Subchapter D of Chapter 42 of the Texas Local Government Code. (Property IDs: 181684, 308113, 304066, 185055, 180418, 180419, 180494, 200230, & 205078)
  - f. Agreement with MuniCap, Inc. for Public Improvement District (PID) consultant
  - g. Resolution authorizing execution of agreements for Routine Airport Maintenance Program (RAMP) Grant
7. **Public Hearing** on a request by Corey Riley, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 zoning district located at 106 Trinity Lane (Property ID 172884) - Owners: Cory Riley and Brooke Riley (ZDC-89-2026)
  8. **Consider** proposed Ordinance approving ZDC-89-2026
  9. **Public Hearing** on a request by Hilda bailey, for a Specific Use Permit (SUP) for an Accessory Structure Greater than or Equal to 700 S.F. use within a Planned Development Single-Family-1 zoning district located at 2790 Eastham Way (Property ID 190456) - Owners: Hilda Bailey and Ronald Bailey (ZDC-81-2026)
  10. **Consider** proposed Ordinance approving ZDC-81-2026
  11. **Public Hearing** on a request by Susan Dixon for a Specific Use Permit (SUP) for an Accessory Structure greater than or equal to seven hundred (700) square feet, use within a Future Development (FD) zoning district located at 109 Crystal Cove, (Property ID 218977) – Owner: Howard & Susan Dixon (ZDC-77-2026)
  12. **Consider** proposed Ordinance approving ZDC-77-2026
  13. **Public Hearing** on a request by Patrick McGee, HighPark Capital, LLC for a Zoning Change from a Commercial (C) zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district, located at 1761 N US Highway 77 (Property ID 186874) – Owner(s): Ferris Avenue Baptist Church DBA The Avenue (ZDC-54-2026)
  14. **Consider** proposed Ordinance approving ZDC-54-2026
  15. **Consider** Development Agreement for ZDC-54-2026
  16. **Public Hearing** and **consider** an Order by Council – Article XIII, Substandard Structures – 115 Elder Street
  17. **Public Hearing** and **consider** an Order by Council – Article XIII, Substandard Structures – 316 Wyatt
  18. **Consider** a contract with Key Construction for the reconstruction of the City's Central Offices located at 820 Ferris Avenue for the Guaranteed Maximum Price of \$11,995,085

19. **Consider** approval of a Professional Services Agreement and supplemental appropriation for Mid-Way Regional Airport Box Hangar Development in the amount of \$143,253
20. **Consider** Lions Park Improvements and Professional Services Agreement
21. **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
22. **Reconvene** and take any necessary action
23. Comments by Mayor, City Council, City Attorney and City Management
24. 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

# ***PROCLAMATION***

(4b)

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

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

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

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

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

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

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

**NOW, THEREFORE**, be it resolved that I, Billie Wallace, Mayor of the City of Waxahachie, Texas, along with the entire City Council, do hereby proclaim September 2026 as

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

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

Proclaimed this 21<sup>st</sup> day of September, 2026.

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MAYOR

ATTEST:

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CITY SECRETARY

(4c)

# ***PROCLAMATION***

**WHEREAS**, the small family farms of Ellis County helped establish the economic foundation for the growth and development of Waxahachie and Ellis County; and

**WHEREAS**, generations of farm families contributed their hard work, skills, and ingenuity to the agricultural prosperity of the region and helped build the communities, businesses, institutions, and traditions that followed; and

**WHEREAS**, agricultural heritage is an important part of the history for which Waxahachie is recognized today; and

**WHEREAS**, the Ellis County Rural Heritage Farm provides an opportunity for children, families, and visitors to learn about and experience the work, skills, traditions, and everyday lives of earlier generations; and

**WHEREAS**, Farm Heritage Day, to be held October 4, 2026, at the Ellis County Rural Heritage Farm, provides an opportunity for our community to recognize, remember, and celebrate the small family farms and farm families whose contributions helped shape Waxahachie and Ellis County.

**NOW, THEREFORE**, be it resolved that I, Billie Wallace, Mayor of the City of Waxahachie, Texas, along with the entire City Council, do hereby recognize October 4, 2026, as

## ***"Farm Heritage Day"***

in the City of Waxahachie, Texas, and encourage all citizens to recognize, remember, and celebrate the agricultural heritage and the generations of farm families whose hard work helped lay the foundation for the growth of our community.

Proclaimed this 21st day of September 2026.

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MAYOR

ATTEST:

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CITY SECRETARY

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on September 8, 2026 at 7:00 p.m.

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

Others Present: Ricky Boyd, City Manager  
Shon Brooks, Assistant City Manager  
Robert Brown, City Attorney Representative  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Billie Wallace called the meeting to order.

**2. Invocation**

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

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. Recognize Teresa McNiel for 23 years of service on the Civil Service Commission
- c. Recognize John Hamilton for 12 years serving as President of the Waxahachie Partnership, Inc.
- d. Present Proclamation recognizing September as "National Ovarian Cancer Awareness Month"

Council Member Chris Wright introduced Steve Chapman as Honorary Council Member for the month of September. Mr. Chapman is a lifelong resident of Waxahachie who has been deeply involved in the community for decades. He was married to his hometown sweetheart, Hilda Harbin, for nearly 50 years and raised two children, Jim and Jill.

A graduate of SMU and SMU Law, Mr. Chapman practiced law in Waxahachie for more than 55 years, specializing in real estate, business, and probate law. He also served as Waxahachie's City Attorney for more than 50 years, attending over 2,000 City Council meetings and earning a reputation for working effectively with elected officials and the community.

Beyond his professional career, Mr. Chapman has chaired numerous local organizations and is known for his extensive collection of classic automobiles and his knowledge of Waxahachie history. He is described as a friend to everyone, an enemy to none, and a trusted advisor whose decades of service have made a lasting impact on the community.

(6a)

Lindsey Mearns, Director of Human Resources and Civil Service, recognized Teresa McNeil for 23 years of service on the Civil Service Commission.

Sandy Rehkopf, Downtown Manager, recognized John Hamilton for 12 years serving as President of the Waxahachie Partnership, Inc.

Mayor Wallace presented a proclamation recognizing September as “National Ovarian Cancer Awareness Month” and presented it to Amanda Kelly.

## **5. Public Comments**

Chris Davis, Chair of the Park Board, 401 N. Rogers, Waxahachie, Texas, strongly supported the Kimley-Horn Lions Park plan, developed with extensive community and professional input, citing its broader recreational amenities and future flexibility. Mr. Davis opposed shifting to a six-field synthetic turf concept, which was never presented to or approved by the Parks Board, and raised concerns about its development costs, extreme heat, maintenance, and potential environmental impact from plastic and petroleum-based materials entering the Waxahachie Creek.

## **6. Consent Agenda**

- a. Minutes of the City Council meeting of August 17, 2026
- b. Minutes of the City Council work session of August 25, 2026
- c. Proposed Ordinance approving a request by Stefan Kenyon, for a Petition for ETJ Release for approximately 63.451 acres, located at 1315 FM 1446 (Property ID 179047) – Owner Jon Payne (ETJ-PTN-90-2026)
- d. Proposed Ordinance approving a request by Elizabeth Davis, for a Petition for ETJ Release for approximately 20.501 acres, located at 1109 Wilson Road (Property ID 192192) – Owner: Elizabeth Davis (ETJ-PTN-94-2026)
- e. City Manager’s appointment of member to Civil Service Commission
- f. Approval of a construction contract with Texas Materials Group Inc and Reliable Paving Inc for Asphalt Milling and Overlay Services with IDIQ Pricing
- g. Construction contract award for the Waxahachie Creek Erosion Repair at Getzendaner Project in the amount of \$3,652,692

Councilman Chris Wright requested to remove Item g. from the Consent Agenda to allow for further discussion.

### **ORDINANCE NO. 3748**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 63.451 ACRE TRACT OF LAND, LOCATED AT 1315 FM 1446, KNOWN AS PROPERTY ID 179047, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

### **ORDINANCE NO. 3749**

(ua)

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 20.501 ACRE TRACT OF LAND, LOCATED AT 1109 WILSON ROAD, KNOWN AS PROPERTY ID 192192, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Chris Wright moved to approve all items on the Consent Agenda, except for Item g., and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

James Gaertner, Director of Capital Improvements & Engineering, reviewed the Item. The City is considering awarding a \$3,652,692 construction contract to Austin Filter Systems, Inc. for erosion repairs along approximately 1,500 feet of Waxahachie Creek in Getzendaner Park. The project includes a rock anchor gabion wall, excavation, tree removal and replacement, fencing, storm pipe replacement, and removal of the old Matthews Bridge structures, along with several additional erosion-control improvements. Austin Filter Systems submitted the lowest responsive bid among nine contractors, and the project is within budget. Funding would come from the FY2023 and FY2024 Parks CO Bond funds.

**Action:**

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

**7. Public Hearing on a request 7020 Waxahachie LP, for a Specific Use Permit (SUP) for Heavy Machinery and Equipment, Rental, Sales or Storage use within a Light Industrial-1 zoning district located at 7020 N Interstate 35 (Property ID 185396) - Owner: Waxahachie LLC (ZDC-64-2026)**

Planning Director Trenton Robertson presented the Item. The applicant requests approval of a Specific Use permit (SUP) to allow for a Heavy Machinery and Equipment, Rental, Sales, Storage and Display use for 7020 Waxahachie LLC at 7020 N Interstate 35. The lot has a one story, 6,022 square foot metal building on the subject property. The structure is 100.2' long and 60' wide. Proposed hours of operation are 24/7 with up to 30 employees. Outside storage of heavy machinery, equipment, and materials will be to the rear of the property. Only the display and storage of heavy equipment and vehicles will be allowed along the front of the property. Landscaping, fence installation, and an exterior remodel have been completed without obtaining the appropriate permits. However, a civil permit and irrigation permit have been obtained. The irrigation and work covered under the civil permit have not been completed or accepted by the City.

Upon bringing this to applicant's attention, the applicant has agreed to apply for the appropriate permits to satisfy code requirements. Several trees were planted in TXDOT's Right of Way (ROW) for screening purposes. The applicant has agreed to replace any landscaping in the ROW that is removed in the event of a TXDOT expansion, and the replacement landscaping would be in the interior of the lot.

(ua)

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

Mayor Wallace opened the public hearing at approximately 7:28 p.m.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 7:28 p.m.

**8. Consider proposed Ordinance approving ZDC-64-2026**

**ORDINANCE NO. 3750**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MACHINERY AND EQUIPMENT, RENTAL, SALES OR STORAGE USE WITHIN A LIGHT INDUSTRIAL-1 ZONING DISTRICT, LOCATED AT 7020 N INTERSTATE 35, BEING PROPERTY ID 185369, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING IN THE WM B HAYNES L B OUTLAW SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Tres Atkins moved to approve ZDC-64-2026, a Specific Use Permit for a Heavy Machinery and Equipment, Rental, Sales or Storage, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**9. Public Hearing on a request by Matt Lucas, Kimley-Horn, for a Specific Use Permit (SUP) for a Pole Sign use within a Planned Development-Mixed Use Nonresidential (PD-MUNR) zoning district located on the northeast corner of Gridiron Drive and Blue Star Drive (Property ID 303980) – Owner(s): 289 BSL Waxahachie, LLC (ZDC-79-2026)**

Mr. Robertson presented the Item. The applicant proposes to develop a one-story restaurant use (Texas Roadhouse) that is allowed by right under the current zoning of PD-MUNR. The building area will be approximately 7,926 square feet, with a proposed height of 28'-10." The operational plan provided by the applicant anticipates that the restaurant will feature approximately 290 indoor dining seats, 32 patio seats, and 194 parking spaces.

The applicant proposes a Specific Use Permit (SUP) for the subject property to allow for a 24' Pole Sign for the proposed Texas Roadhouse development. Per section 5.08 of the Waxahachie Zoning Ordinance, a pole sign is only permissible by SUP by amending ordinance establishing a PD. The overall proposed use is allowed by right under the current zoning of PD-MUNR. The total height of the proposed pole sign is 24'. The proposed size, height, and location of the proposed sign adheres to the requirements for pole signs set forth by the City of Waxahachie's Zoning Ordinance. The sign features 149.33 square feet of advertising space and is proposed to be setback

(lea)

a minimum of 20' from all property lines. The sign is proposed to be situated on the southeast corner of the property.

As part of this SUP request, the applicant is proposing three (3) minor deviations from the established zoning regulations associated with the Texas Roadhouse development. Under the current zoning district, a 25' landscape buffer is required under the associated Planned Development (Ord.3224). Additionally, per section 5.03 of the Waxahachie Zoning Ordinance, each refuse facility shall be screened by an opaque wall of masonry not less than six (6) feet, and no more than eight (8) feet in height. Lastly, a minimum roof slope of 5:12 is required under section 5.03 of the Waxahachie Zoning Ordinance. The applicant proposes the following deviations:

1. Landscape buffer along north fire lane/access drive: A 23' landscape buffer as shown in landscape plan. This deviation from the PD is to accommodate canopy trees along one of the main access points into the development and to provide sufficient parking for their business operations.
2. Dumpster enclosure screening height: An Opaque screening wall that is 8'-8" in total height as shown in Dumpster Enclosure. The overall design preserves the intent of the ordinance as it will still provide adequate screening, by an opaque masonry wall on all three sides of the dumpster enclosure and does not reduce the quality, durability, or combustibility with the proposed structure.
3. Roof Pitch: The roof will feature a "flat" roof (with parapet) and an overall mix of roof pitches as shown in the Roof Plan which reflects their prototypical architecture for the associated business.

In accordance with Chapter 211 of the Texas Local Government Code and the City's public hearing notification requirements, five notices were mailed to property owners located within 200 feet of the subject property. At time of publication, staff received zero (0) letters in support of the request and zero (0) letters expressing concerns regarding the Special Use Permit (SUP) request without indicating either support or opposition.

Mayor Wallace opened the public hearing at approximately 7:32 p.m.

There being no others to speak for or against the item, Mayor Wallace closed the public hearing at approximately 7:32 p.m.

**10. Consider proposed Ordinance approving ZDC-79-2026**

**ORDINANCE NO. 3751**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A POLE SIGN USE WITHIN A PLANNED DEVELOPMENT-MIXED USE NONRESIDENTIAL (PD-MUNR) ZONING DISTRICT, LOCATED ADJACENT TO THE INTERSECTION OF GRIDIRON DRIVE AND BLUE STAR DRIVE, BEING PROPERTY ID 303980, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4, BLOCK A IN THE 289 BSL WAXAHACHIE ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

(ua)

**Action:**

*Travis Smith moved to approve ZDC-79-2026, a Specific Use Permit for a 24' Pole Sign use adjacent to the intersection of Gridiron Drive and Blue Star Drive, subject to the deviations and considerations of the staff report, authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**11. Consider proposed ordinance approving revised budget figures for fiscal year 2025-2026 and adopting the budget for fiscal year 2026-2027**

Finance Director Chad Tustison presented the Item. This agenda item is for the City Council to consider the approval of revised budget figures for Fiscal Year 2025-2026 and the proposed budget for Fiscal year 2026-2027. The proposed budget represents the City's funding plan for the next fiscal year, beginning October 1, 2026.

The development of the annual budget is a comprehensive effort that involves input from the City Council and all City departments. This process begins early in the calendar year as City staff begins reviewing the current budget, revenue and expenditure trends, and preparing budget proposals.

On April 14<sup>th</sup>, staff held a work session with the City Council on the preliminary Capital Improvement and Debt Management Plan to discuss upcoming capital projects and funding options, including the issuance of bonds.

On June 22<sup>nd</sup>, a second budget work session was held to provide City Council an overview of the draft budget, including all major funds, proposed operating and capital plans, major revenue sources, as well as an opportunity to discuss the proposed tax rate.

A public hearing on the proposed was held on the proposed budget on September 1<sup>st</sup>.

Councilman Patrick Souter thanked Mr. Tustison for his work but expressed concerns about the potential reappropriation of Waxahachie Community Development Corporation (WCDC) funds. He also stated that he does not support increasing the City Council's per diem.

**ORDINANCE NO. 3752**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2025-2026; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2026 AND TERMINATING SEPTEMBER 30, 2027, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**Action:**

*Travis Smith moved to approve revised budget figures for Fiscal Year 2025-2026 and adopt the budget for Fiscal Year 2026-2027 as presented. Motion was seconded by Tres Atkins and carried 3-2, with Patrick Souter and Chris Wright voting in opposition.*

(wa)

**12. Consider proposed ordinance amending Water and Wastewater rates and fees and setting an effective date of October 1, 2026**

Mr. Tustison presented the Item. This item is for the City Council to approve the water and wastewater rates and fees included as part of the Proposed Budget for Fiscal Year 2026-2027.

The Water and Wastewater Funds provide for the administration, operation and maintenance of all City water services including distribution, wastewater collection, water and wastewater treatment activities, meter management, and billing services. Revenue to support these operations is generated primarily through water and sewer usage rates, as outlined in City ordinance.

As part of the budget process, City staff recommends that City Council vote to affirm these rates annually and amend rates and fees when necessary. The FY 2027 Budget includes an increase of 4% in water and wastewater rates, fees, and charges to keep up with growth, address inflationary cost escalations, and preparation for future capital projects. Additionally, the ordinance includes changes to various utility fees to recover the costs of service, eliminate fees for services no longer provided, and clarify certain language in the ordinance.

The proposed ordinance includes the Sokoll rate fee of 2.01 per 1,000 gallons. Updated annually, this rate is charged to the City and Rocket SUD to recover each entity's proportional cost to operate and maintain the Sokoll Water Plant.

City staff said the City's water and wastewater rates remain in the lower-to-middle range compared with similar-sized cities, but inflation and rising infrastructure costs are putting pressure on the system. Since 2020, inflation has increased about 4.3% annually, while the City's rates have risen about 3.1%, prompting an ongoing rate study to ensure future infrastructure and debt needs are adequately funded without raising rates unnecessarily. The study will also explore potential discounts or assistance for qualifying seniors and residents on fixed incomes, with recommendations expected in October or November.

**ORDINANCE NO. 3753**

**AN ORDINANCE SETTING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2026 AND DECLARING AN EMERGENCY.**

**Action:**

*Travis Smith moved to approve an ordinance setting water and wastewater rates and fees and setting an effective date of October 1, 2026. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**13. Consider proposed ordinance adopting the Tax Rate for fiscal year 2026-2027**

Mr. Tustison presented the Item. This agenda item is for the City Council to consider the proposed Property Tax Rate included in the Fiscal Year 2026-2027 Budget. In accordance with the Tax Code, a public hearing on the property tax rate was held on September 1, 2026. The proposed rate

(ua)

of \$0.610000 is above the no-new-revenue rate of \$0.582798 and lower than the voter-approval rate of \$0.611094.

The increase in the budget provides for continued and additional funding for essential City services such as public safety, street and sidewalk installation and maintenance, park improvements, to keep pace with growth, and continued support of the City's Capital Improvements Program.

Mayor Wallace expressed support for maintaining the city's tax rate at 61 cents for the third consecutive year, noting that the rate was previously as high as 68 cents or more. They praised City Council and staff for working together to meet community needs within existing revenues despite inflation and emphasized the importance of avoiding additional costs for local families.

#### **ORDINANCE NO. 3754**

**AN ORDINANCE LEVYING FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WAXAHACHIE, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR FISCAL YEAR 2027 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE.**

**Action:**

*Travis Smith moved that the property tax rate be increased by the adoption of a tax rate of 61 cents, with an operation and maintenance rate of 39.0646 cents, and an interest and sinking rate of 21.9354 cents, which is effectively a 4.7% percent increase in the tax rate. Motion was seconded by Tres Atkins and carried 3-2, with the vote as follows:*

*Billie Wallace – Aye  
Travis Smith – Aye  
Tres Atkins – Aye  
Patrick Souter-Naye  
Chris Wright – Naye*

**14. Consider a motion to ratify the property tax revenue increase reflected in the fiscal year 2026-2027 budget in accordance with the Texas Local Government Code**

Mr. Tustison presented the Item. Texas Local Government Code requires that adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget.

The increase in the budget provides for continued and additional funding for essential City services such as public safety, street and sidewalk installation and maintenance, park improvements, increases in operational costs, and continued support of the City's capital improvements program.

**Action:**

*Travis Smith moved to ratify the property tax revenue increase reflected in the Fiscal Year 2026-2027 Budget. Motion was seconded by Tres Atkins and carried 3-2, with Patrick Souter and Chris Wright voting in opposition.*

(ua)

**15. Consider and act upon an ordinance of the City of Waxahachie, Texas, approving the 2026-2027 annual service plan update to the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date"**

Tanner Siegert, Municap, presented the Item. Mr. Siegert noted that there are no changes to the assessment methodology previously approved in the Service and Assessment Plan. He also recognized the Dove Hollow Phase III plat, which adds 171 residential lots in 80-, 70-, and 60-foot configurations. With this phase, all 618 lots within Improvement Area #3 have been developed and subdivided.

As of the specified dates, 10 parcels in Improvement Area #1, one parcel in Improvement Area #2, and 11 parcels in Improvement Area #3 have prepaid their special assessments in full. Following approval of the 2026–27 Annual Service and Assessment Plan update, the approved assessment amounts for each parcel will be provided to the Ellis County Tax Office for inclusion with 2026 property tax bills.

Mayor Pro Tem Smith suggested using postcards with a QR code to help homebuyers understand the updated service plan and access additional information online.

**ORDINANCE NO. 3755**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL[S] FOR THE NORTH GROVE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013, AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**Action:**

*Tres Atkins moved to approve an ordinance of the City of Waxahachie, approving the 2026-2-27 annual update of the Service and Assessment Plan for the North Grove Public Improvement District No. 1 and providing an effective date. Motion was seconded by Chris Wright and carried unanimously (5-0).*

**16. Discuss and consider Resolution designating an official newspaper and an alternate advertising source for the City of Waxahachie for Fiscal Year 26-27**

City Secretary Amber Villarreal presented the Item. The proposed resolution authorizes the City Council to designate a newspaper as the City's official newspaper for the publication of ordinances, notices, and other materials required by the City Charter and applicable law. The Council may also designate one or more alternative newspapers to serve as secondary publication options when the required publication deadlines cannot be met by the primary newspaper.

For the prior fiscal year, the Council designated the *Waxahachie Daily Light* as the City's official newspaper and *The Dallas Morning News*, *The Ellis County Press*, *The Midlothian Mirror*, and *The Waxahachie Sun* as alternate newspapers. Each newspaper meets the legal requirements established under Section 2051.044 of the Texas Local Government Code.

(ua)

Council members discussed the importance of using local vendors whenever possible and questioned whether the vendors under consideration have a physical presence within Waxahachie. They agreed with the preference to support local businesses when opportunities are available. The discussion also touched on the use of alternate newspapers for required publications and the changing role and significance of the traditional newspaper of record.

#### **RESOLUTION NO. 1419**

**A RESOLUTION OF THE CITY OF WAXAHACHIE DESIGNATING THE WAXAHACHIE DAILY LIGHT AS THE OFFICIAL NEWSPAPER OF THE CITY OF WAXAHACHIE, AND THE DALLAS MORNING NEWS, THE ELLIS COUNTY PRESS, THE MIDLOTHIAN MIRROR, THE WAXAHACHIE SUN, AND THE FORT WORTH STAR TELEGRAM AS ALTERNATE ADVERTISING SOURCES, FOR FISCAL YEAR 2026-2027.**

#### **Action:**

*Travis Smith moved to approve a resolution designating the Waxahachie Daily Light as the official City newspaper and the Dallas Morning News, the Ellis County Press, the Midlothian Mirror, the Waxahachie Sun, and the Fort Worth Star Telegram as alternate newspaper advertising sources. Motion was seconded by Tres Atkins and carried 3-2, with Patrick Souter and Chris Wright voting in opposition.*

#### **17. Consider appointments to Boards and Commissions**

Ms. Villarreal presented the Item. On August 25, 2026, the City Council held a work session to review applications for board and commission appointments. Staff is requesting that Council discuss the applications and appoint members to the respective boards and commissions.

City Council discussed the process for appointing members to boards and commissions, particularly concerns that the list of recommended appointments changed after a prior Council meeting. Councilman Wright questioned the removal of an existing WCDC board member and suggested that, if the process has changed, Council should reconvene to agree on a final slate before voting.

Mayor Wallace explained that the current rules allow the Mayor and Mayor Pro Tem to make changes following Council's initial discussions and defended the decision as based on a potential conflict of interest involving oversight of multiple budgets.

Council also discussed the WCDC board member's County employment and whether that role creates a potential conflict when making decisions involving City funds. Council members disagreed over the reasoning and process, with some supporting stricter rules for serving on multiple boards, particularly those overseeing budgets.

Councilman Tres Atkins noted that the City now has more applicants than available board positions and cautioned that any changes to the rules should account for the possibility of needing more board members in the future.

After Council discussion, the following recommendations were made:

(ua)

ANIMAL CARE ADVISORY COMMITTEE (2-year term)

Kenzie Redington, Person whose duties include the daily operation of an animal shelter  
Kari Kelly-Koch, Citizen  
Holly Pike, Citizen  
Haven Moreno, Citizen

CEMETERY BOARD (2-year term)

Mark Gundert  
Alex Lohmann

CULTURAL ARTS AND HERITAGE COMMISSION (2-year term)

Mary Crook (replacing unexpired term of Twyla U. Williams until September 2028)

ECONOMIC DEVELOPMENT COMMISSION

Christopher Ochoa (replacing Patrick Aulson)

HERITAGE PRESERVATION (2-year term)

Ronald Finch  
Mark Gundert  
Jackie Montejano

IMPACT FEE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

Lee Coleman, Ad Hoc Member (replacing Dalton Bradbury)

KEEP WAXAHACHIE BEAUTIFUL COMMITTEE (3-year term)

Madeline Bracken  
Forrest John  
Katrina Rabien  
Jackie Wray (filling unexpired term of Austin Mauldin until September 2027)

MID-WAY REGIONAL AIRPORT BOARD (3-year term)

Nanette Paghi

PARK BOARD (3-year term)

Brad Burns  
Tiki Smith

PLANNING AND ZONING COMMISSION (2-year term)

Jenny Bridges  
Twyla U. Williams  
Vacant

SENIOR CENTER ADVISORY COMMITTEE (2-year term)

Princess Murray  
Laura Piper  
Tiki Smith

(ua)

TAX INCREMENT REINVESTMENT ZONE (2-year term)

Amber Adams  
Al Mack  
Brad Yates

WAXAHACHIE COMMUNITY DEVELOPMENT CORPORATION (2-year term)

Jenny Bridges  
David Hudgins  
Cindy Smith

WAXAHACHIE HOUSING AUTHORITY (2-year term)

Detrick Lester  
Priscilla Ramirez  
Kristin Ramsey (resident)

**Action:**

*Travis Smith moved to approve the appointments to Boards and Commissions as presented. Motion was seconded by Tres Atkins and carried 3-2, with Patrick Souter and Chris Wright voting in opposition.*

- 18. Consider approval to enter into a contract for a Type 3 fire apparatus identified as 4244- BME-International HV 507-Type 3 for \$673,590 with Siddons-Martin Emergency Group, LLC**

Fire Chief Scott Safford presented the Item. The purpose of this purchase is to strengthen the department's operational capabilities in response to the continued growth of Waxahachie and the surrounding areas, particularly in regions with rural characteristics and heavy vegetation. A Type 3 apparatus provides increased suppression and off-road capability, making it a critical asset for both initial attack and extended operations. By approving this purchase now, the City can secure a unit that is already in production. This opportunity significantly reduces the standard build and delivery timeline (three years), allowing the department to place the apparatus into service in the fourth quarter of 2027.

Funding for the purchase of \$673,590 is sufficiently within the City's proposed FY27 General Fund budget. The cost is anticipated to be funded by reimbursements to the General Fund through deployments under the Texas Intrastate Fire Mutual Aid System (TIFMAS). Waxahachie firefighters and apparatuses are frequently mobilized for state wildfire response, generating reimbursement revenue that will help recover the City's investment over time. By purchasing this apparatus at this time, staff was able to negotiate a \$26,286 savings.

**Action:**

*Travis Smith moved to approve the HGAC Contract with Siddons-Martin Emergency Group, LLC for the purchase of a BME International Type 3 apparatus in the amount of \$673,590 and authorize the City Manager to execute all documents necessary. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

- 19. Convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase,**

(ua)

**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**

City Council did not convene into Executive Session.

**20. Reconvene and take any necessary action**

No action taken.

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

City Attorney Robert Brown expressed gratitude for being alongside Steve Chapman, an experienced attorney who served as the City Attorney for 50 years.

Council Member Chris Wright congratulated Steve Chapman and thanked everyone involved in supporting the city. Councilman Wright recognized Teresa McNeil and John Hamilton for their years of service and acknowledged the Finance Department, Chad Tustison, Mariana Dunn, staff, department heads, and others for their hard work on the City budget. He also highlighted progress on the Waxahachie Creek project in Getzendander Park, thanked the library and encouraged residents to get a library card.

Council Member Patrick Souter thanked Mr. Chapman for his significant contributions to the City of Waxahachie and Ellis County. He also thanked Mayor Wallace for considering and using his recommendations regarding the boards and commissions for which he serves as Council liaison.

Mayor Pro Tem Travis Smith welcomed Patrick Souter back and thanked him for attending. He called for greater transparency in the boards and commissions appointment process, including written justification for nominees. He also defended the City's budget and staff, emphasizing the significant work involved in developing the budget and expressing concern that staff efforts should not be used for political purposes or social media campaigns.

Council Member Tres Atkins welcomed Mr. Chapman and expressed appreciation for his longstanding presence in the community, praised Teresa McNeil and John Hamilton for their dedicated service, and thanked the Fire Department for its quick response to a medical incident. Councilman Atkins also expressed support for Councilman Souter's return.

City Manager Ricky Boyd welcomed Steve Kuykendall as the newly appointed Civil Service Commissioner, noting his family's connection to fire service and expressed confidence in the insight and wisdom he will bring to the City. Mr. Boyd acknowledged Teresa McNeil's significant contributions and noted that she will be difficult to replace. Mr. Boyd also praised City staff for their hard work and dedication.

(6a)

Mayor Billie Wallace thanked Mr. Chapman, Teresa McNeil, and John Hamilton for their years of dedicated service and recommended that City Council be present when appointments are considered. Mayor Wallace also thanked Councilman Souter for communicating his concerns and providing information that led to positive changes. Mayor Wallace expressed disappointment that the FY 2026–27 budget was not unanimously approved after months of work by the Council and staff. Finally, she praised City staff, the Fire Department, Parks Department, Police Department, and other departments for successfully and safely reopening the lake parks over Labor Day weekend, highlighting the extensive planning, strong execution, community participation, and absence of drownings.

## **22. Adjourn**

There being no further business, the meeting adjourned at 8:39 p.m.

Respectfully submitted,  
Amber Villarreal, City Secretary

A special 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 September 1, 2026 at 5:30 p.m.

Council Members Present: Travis Smith, Mayor Pro Tem, Council Member Place 5  
Tres Atkins, Council Member Place 1  
Chris Wright, Council Member Place 3

Council Members Present: Billie Wallace, Mayor, Council Member Place 4  
Patrick Souter, Council Member Place 2

Others Present: Ricky Boyd, City Manager  
Shon Brooks, Assistant City Manager  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Pro Tem Travis Smith called the meeting to order.

**2. Invocation**

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

Council Member Tres Atkins gave the invocation. Mayor Pro Tem Smith led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Dean Settlemyer, 605 Brookside Road, Waxahachie, Texas, raised concerns about school-related traffic congestion on Brookside Road to Main Street, and the resulting safety risks for emergency vehicles, and asked the City to explore solutions such as a turn lane or designated turnaround area. Mr. Settlemyer also expressed concern about proposed ambulance/EMS changes and potential tax increases, urging the Council to involve citizens and allow public input before moving forward.

**5. Public Hearing on the proposed Tax Rate for fiscal year 2026-2027 and announce the date, time, and place for adoption**

Director of Finance Chad Tustison presented the Item. As part of the annual budget process, Chapter 26 of the Property Tax Code requires taxing units to comply with truth-in-taxation laws in adopting their tax rates. This item meets the requirement for the City Council to hold a public hearing on the proposed tax rate necessary to fund the Fiscal Year (FY) 2027 Annual Budget.

The FY 2026-2027 Proposed Budget includes a tax rate of \$0.61000 per \$100 valuation, which is unchanged from the current rate. This rate provides funding for operating costs to keep pace with growth and to fund and plan for capital needs throughout the City. Of this amount, a rate of \$0.390646 is for Operations and Maintenance (including the Sims Library rate) and \$0.219354 is for Interest and Sinking. The proposed rate exceeds the no-new-revenue rate of \$0.582798 and does not exceed the voter-approval tax rate of \$0.611094.

(4b)

The following provides a breakdown of the Proposed Fiscal Year 2027 property tax rate.

|                                              | <b>FY 2027</b>  |
|----------------------------------------------|-----------------|
| FY 2026 Current Property Tax Rate            | 0.610000        |
| <b>FY 2027 Proposed Tax Rate (No Change)</b> | <b>0.610000</b> |

|                                                    |                 |
|----------------------------------------------------|-----------------|
| <b>FY 2027 Proposed Tax Rate</b>                   | <b>0.610000</b> |
| <i>Interest &amp; Sinking (I&amp;S) Rate</i>       | <i>0.219354</i> |
| <i>Maintenance &amp; Operations (M&amp;O) Rate</i> | <i>0.390646</i> |
| <i>General Services</i>                            | <i>0.371246</i> |
| <i>Sims Library</i>                                | <i>0.019400</i> |

|                                                                 |                 |
|-----------------------------------------------------------------|-----------------|
| Total No New Revenue Rate                                       | 0.582798        |
| M&O No New Revenue Rate                                         | 0.377698        |
| Voter Approval Rate (M&O Voter Approval Rate plus I&S Rate)     | 0.611094        |
| <i>M&amp;O Voter Approval Rate (3.5% plus unused increment)</i> | <i>0.391740</i> |
| <i>I&amp;S Rate</i>                                             | <i>0.219354</i> |

Mayor Pro Tem Smith opened the Public Hearing at approximately 5:40 p.m.

There being no others to speak for or against the City of Waxahachie proposed Tax Rate for fiscal year 2026-2027, Mayor Pro Tem Smith closed the Public Hearing at approximately 5:41 p.m.

Mayor Pro Tem Smith announced the vote on the proposed tax rate will take place on September 8, 2026 at 7:00 PM at the Waxahachie Civic Center.

**6. Public Hearing on the City of Waxahachie proposed Budget for fiscal year 2026-2027 and vote to set the date, time, and place for adoption**

Mr. Tustison presented the Item. This item is a public hearing to consider the City's Proposed Budget for Fiscal Year 2027, which begins October 1, 2026. Texas Local Government Code 102.007 requires that the City Council take action at the conclusion of the hearing.

Mayor Pro Tem Smith opened the Public Hearing at approximately 5:43 p.m.

Those who spoke:

Dean Settlemyer, 605 Brookside Road, Waxahachie, Texas

(ub)

Mr. Tustison reviewed the new \$2 million vehicle replacement fund, explaining that it will set aside money annually to create a more predictable and transparent process for replacing city vehicles. Beginning with the 2028 budget, vehicle replacements will come from this fund rather than individual department budgets, with the fleet manager determining when replacements are needed and standardizing purchases. The fund will initially cover smaller vehicles, while large equipment such as dump trucks and excavators will be handled separately. Council noted the approach should improve planning, purchasing efficiency, and potentially reduce costs.

There being no others to speak for or against the City of Waxahachie proposed budget for fiscal year 2026-2027, Mayor Pro Tem Smith closed the Public Hearing at approximately 5:48 p.m.

**Action:**

*Tres Atkins moved to consider and hold a record vote on the adoption of the Fiscal Year 2026-2027 budget at the next City Council Meeting on September 8, 2026 at 7:00 PM at the Waxahachie Civic Center. Motion was seconded by Chris Wright and carried unanimously (3-0).*

**7. Comments by Mayor, City Council, City Attorney and City Manager**

Council Member Chris Wright thanked residents for attending and encouraged continued public participation, particularly at the September 8th meeting when the budget will be discussed in greater detail. He also provided an update that Councilman Patrick Souter is out for a medical procedure.

Council Member Tres Atkins clarified that the previously mentioned EMS timeline was a workshop exercise, not an approved plan to purchase ambulances, and emphasized that the City remains transparent with its plans and budget. He also offered to discuss the EMS issue further with residents and asked the community to keep Councilman Souter in their thoughts following his surgery.

City Manager Ricky Boyd addressed several issues, expressing concern for Councilman Souter and wishing him a speedy recovery, while noting the City will explore a temporary fix for Brookside Road until the Minto development provides planned road improvements. Regarding EMS, he emphasized that the City is focused on improving services while remaining financially responsible. Mr. Boyd clarified that the EMS timeline and five-year capital improvement plans are projections for planning purposes, not commitments, and that major decisions must be discussed and approved publicly. He also invited residents to attend the upcoming September 16th workshop on EMS and other City matters and praised the City's finance and budget staff for their work.

Mayor Pro Tem Travis Smith acknowledged growing community distrust and said it may stem from the Council and staff taking a more proactive, forward-planning approach, which requires making projections that can change due to unforeseen circumstances or state-level decisions. Mayor Pro Tem Smith explained that planning for major services and equipment requires significant lead time and financial forecasting. He assured residents that any potential plans or options would be presented publicly and emphasized that, despite disagreements and social media discourse, the Council generally works together to make decisions they believe serve the broader community.

(ub)

**8. Adjourn**

There being no further business, the meeting adjourned at 5:59 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

(uc)



## Memorandum

To: Waxahachie City Council

From: Sandy Rehkopf, Downtown Redevelopment & Historic Preservation Manager

Thru: Ricky Boyd, City Manager *RB*

Date: September 21, 2026

Re: Final Approval of TIRZ Board Action — Downtown Building Improvement Program Grant for 114 W Main

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**Recommended Motion:** "I move to approve funding from the TIRZ fund in the amount of \$13,621.75 for the improvements at 114 W Main, consistent with the action of the TIRZ Board of Directors on September 9, 2026, and authorize the City Manager to execute all documents as necessary."

**Item Description:** Consider final approval of a \$13,621.75 grant award from the TIRZ fund roof replacement at 114 W Main, following approval by the TIRZ Board of Directors on September 9, 2026.

**Item Summary:** The new owner submitted a grant request through the Downtown Building Improvement Program for \$13,621.75 which is 50% of the roof replacement project totaling \$27,243.51.

The Applicant has selected local contractor, Bradbury Construction to complete the work and expects to complete the removal and replacement of the roof in approximately 60 days.

As noted above, the grant request aligns with the Downtown Building Improvement Grant Program, which offers up to a 50/50 match for qualifying improvement costs up to \$200,000 per year.

**Fiscal Impact:** The \$13,621.75 would be funded by the TIRZ fund, which has sufficient capacity to fund the improvements.

(uc)

## Downtown Building Improvement Grant Request

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- ▶ **Property:** 114 W Main
- ▶ **Applicant:** Adam Rope, A. Rope Investments, LLC
- ▶ **Scope:** Equipment, materials, and labor to restore damaged roof by scarifying damaged SPF, filling water spots, applying closed cell foam, water proofing, and applying silicone coating per bid by Bradbury Construction.
- ▶ **Project Cost:** \$27,243.51
- ▶ **Request:** \$13,621.75



(uc)

## 114 W Main



# 114 W Main

(uc)



(6d)



## Memorandum

To: Waxahachie City Council

From: Sandy Rehkopf, Downtown Redevelopment & Historic Preservation Manager

Thru: Ricky Boyd, City Manager *RB*

Date: September 21, 2026

Re: Final Approval of TIRZ Board Action — Downtown Building Improvement Program Grant for 208 W Main and 105 N Rogers

---

**Recommended Motion:** "I move to approve funding from the TIRZ fund in the amount of \$231,000 for improvements at 208 W Main and 105 N Rogers, consistent with the action of the TIRZ Board of Directors on July 22, 2026, and to authorize the City Manager to execute all documents as necessary."

**Item Description:** Consider final approval of a \$231,000 grant award from the TIRZ fund for exterior and structural improvements to 208 W Main Street and 105 N Rogers Street, following approval by the TIRZ Board of Directors on July 22, 2026.

**Item Summary:** The property at 208 W Main and 105 N Rogers is a single L-shaped building situated on a corner lot, with separate street-facing entrances on Main Street and College Street. Because the building carries two legal addresses, it is treated as two separate properties for purposes of the Downtown Building Improvement Program.

The new owner submitted a grant request through the Downtown Building Improvement Program for \$231,000, or 23% of the total project cost of \$1,014,410 for both addresses. The scope includes complete interior and exterior renovation: plumbing, HVAC, electrical, roof replacement, asbestos abatement, masonry repair, awnings, storefront restoration, and full interior

(ud)

finish-out. Local contractor Nay Construction has been selected, with exterior restoration expected to be completed within approximately 90 days.

Although the application was submitted as a single request, the TIRZ Board elected to approve the funding as two separate awards (\$131,000 for 208 W Main and \$100,000 for 105 N Rogers) rather than one lump sum. This preserves each address's individual eligibility under the program's \$200,000 per-building annual cap, allows work on either building to proceed independently, and creates a clearer funding record for each property going forward.

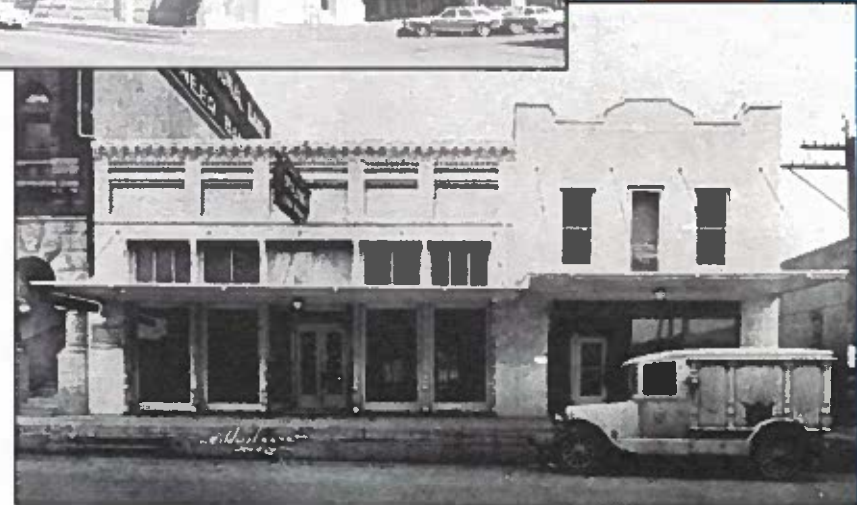
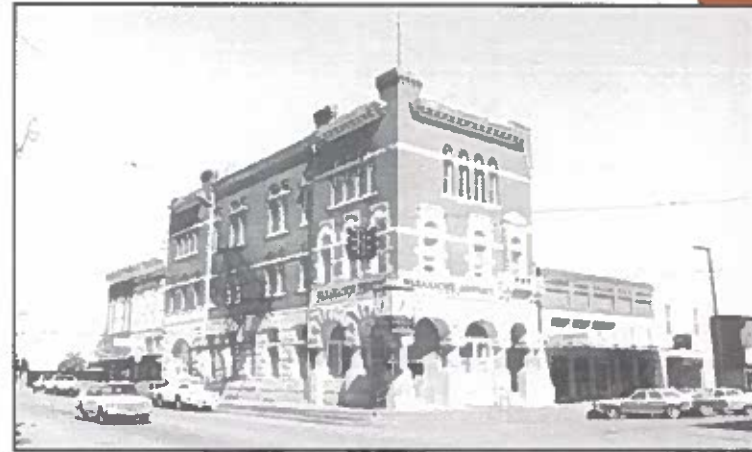
The requested reimbursement rate of 23% is below the program's standard 50/50 match and corresponds to the cost of exterior repairs on both buildings.

**Fiscal Impact:** The \$231,000 award will be funded from the TIRZ fund, which has sufficient capacity to support the improvements.

(ud)

## 208 W Main and 105 N Rogers - Downtown Building Improvement Grant Request

- ▶ **Applicant:** JED Capital, LLC
- ▶ **Scope:** Plumbing, HVAC, electrical, roof replacement, asbestos abatement, extensive masonry repairs, awnings and storefront restoration.
- ▶ **Project Cost:** \$1,056,778.72
- ▶ **Request:** \$231,000 for both buildings



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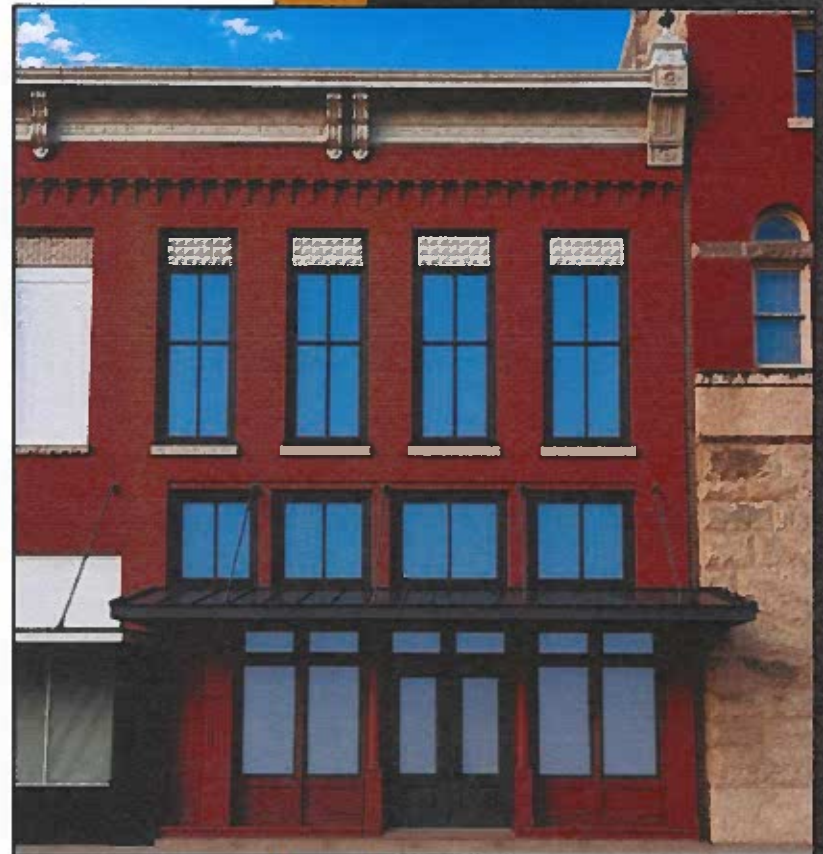
## 208 W. MAIN

**BUILT IN 1900**

- 2 Story Building
- Vacant for decades
- No access to second story unless you enter through 105 Rogers
- Building is on National Historic Register
- Storefront & Awning approved by HPC & HWI



ARCHITECTURAL RENDERING



(led)

ARCHITECTURAL RENDERING



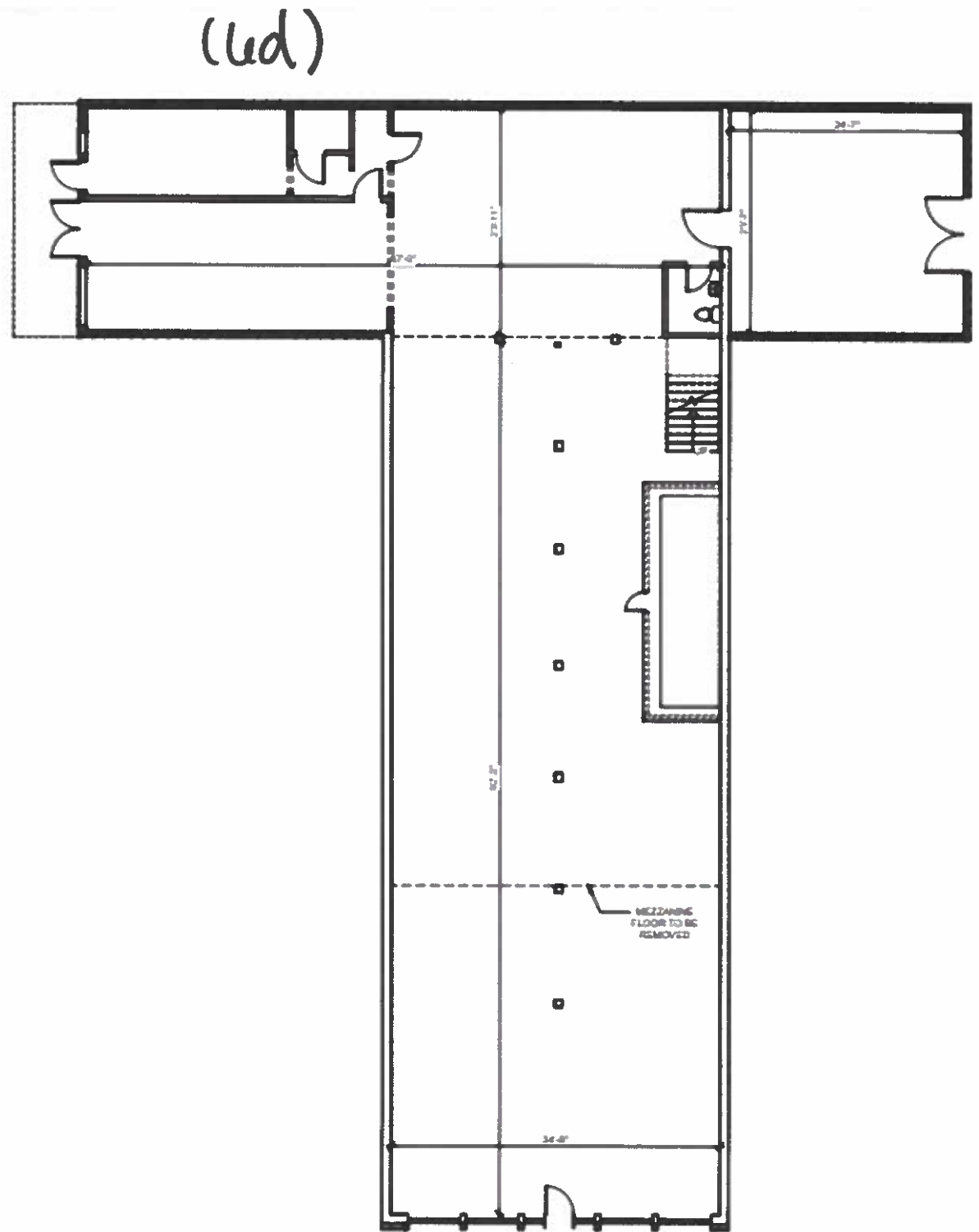
## 105 N. ROGERS

*BUILT IN 1900*

- Storefront & Awning approved by HPC and ready for renovation
- Brick and masonry work approved by HPC



# 208 W Main and 105 N Rogers - DBIP Grant Request

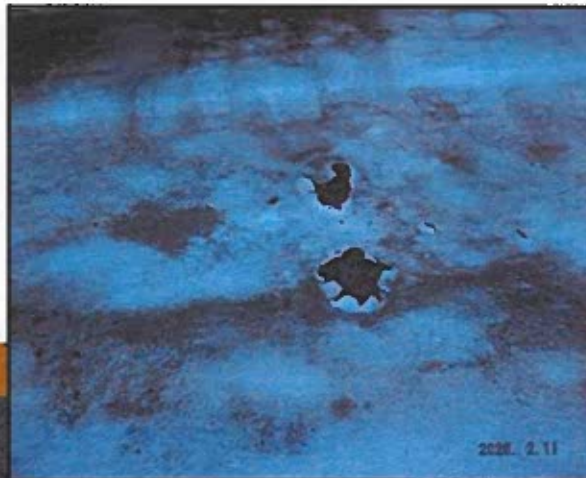
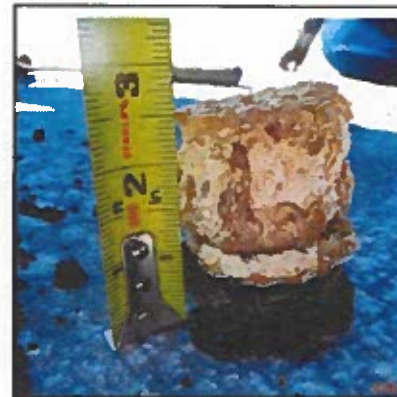
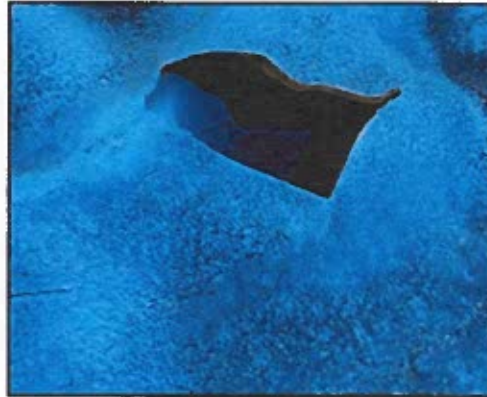


(led)

## CURRENT ROOF CONDITIONS

BUILDING HAS 3 LAYERS OF ROOFING MATERIAL.

TWO LAYERS CONSIST OF FOAM AND ONE LAYER OF TAR AND GRAVEL. PHOTOS REPRESENT HAIL DAMAGE AND AGING CONDITIONS TO THE ROOF. SEVERE BLISTERING OF FOAM LAYERS IS PRESENT. TOTAL REPLACEMENT IS REQUIRED TO PROTECT THE BUILDING.



(led)

## CURRENT EXTERIOR BUILDING CONDITIONS

LIME MORTAR HAS DETERIORATED AND FAILED. THIS IS COMMON TO HISTORIC BUILDINGS. CONSTRUCTION METHODS USED IN THIS ERA LED TO THIS PROBLEM. ALL MASONRY ELEMENTS WILL HAVE TO BE REWORKED AND REPOINTED FOR RESTORATION AND FOR THE STRUCTURAL INTEGRITY OF THE BUILDING.



# PROPERTY TAX IMPACT

(led)

## 208 WEST MAIN

Current tax value: \$257,842 (\$1,573)  
Projected value: \$950,000 (\$5,795)

## 105 N. ROGERS

Current tax value: \$272,058 (\$1,659)  
Projected value: \$950,000 (\$5,795)

### OVERALL INVESTMENT FROM JED CAPITAL

- *Purchase price of buildings* \$1,000,000
- *Renovation cost estimates* \$1,100,000
- *Total* \$2,100,000

### OUTLINE OF TIRZ FUNDS REQUESTED

- *New roof: \$120,000*
- *Awnings and Storefront: \$69,000*
- *Brick repair & Asbestos abatement: \$42,000*
- *Total requested: \$231,000 for both buildings*

# Planning & Zoning Department

## Zoning Staff Report

(ue)

**Cases: ETJ-PTN-80, 107, 108, 116, &  
120-2026**



**MEETING DATE(S)**

City Council:

September 21, 2026

### **CAPTION**

**Consider** a proposed Omnibus Ordinance authorizing the release from the City of Waxahachie's Extraterritorial Jurisdiction (ETJ) of five (5) designated tracts comprising ten (10) parcels of land totaling approximately 71.99 acres, known as Case Nos. ETJ-PTN-80-2026, ETJ-PTN-107-2026, ETJ-PTN-108-2026, ETJ-PTN-116-2026, and ETJ-PTN-120-2026, requested by multiple property owners pursuant to Subchapter D of Chapter 42 of the Texas Local Government Code. (Property IDs: 181684, 308113, 304066, 185055, 180418, 180419, 180494, 200230, & 205078)

### **RECOMMENDED MOTION**

*"I move to approve the Omnibus Ordinance authorizing the ETJ releases for Case Nos. ETJ-PTN-80-2026, ETJ-PTN-107-2026, ETJ-PTN-108-2026, ETJ-PTN-116-2026, and ETJ-PTN-120-2026 as presented, and authorizing the Mayor to sign the associated documents accordingly."*

### **APPLICANT REQUEST**

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

### **PLANNING ANALYSIS**

Starting September 1, 2023, majority property owners or registered voters 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.

The applications provided satisfy 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 petitions comply with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject properties from the City's ETJ.

(let)

**CASE INFORMATION**

| Case #           | ECAD<br>Parcel ID                                  | Owner /<br>Petitioner           | General<br>Location                       | Acreage |
|------------------|----------------------------------------------------|---------------------------------|-------------------------------------------|---------|
| ETJ-PTN-80-2026  | 181684                                             | Beatris Del<br>Bosque           | 1748<br>Wilson Rd                         | 21.295  |
| ETJ-PTN-107-2026 | 308113                                             | TCRWV LLC                       | 2075<br>Marshall Rd                       | 1.56    |
| ETJ-PTN-108-2026 | 304066                                             | GRV Asset<br>Revocable<br>Trust | 1650 N<br>Oak Branch<br>Rd                | 15.6    |
| ETJ-PTN-116-2026 | 185055                                             | Randy Cox<br>and Shelly<br>Cox  | 420 S<br>Westmorela<br>nd Rd              | 13.3    |
| ETJ-PTN-120-2026 | 180418,<br>180419,<br>180494,<br>200230,<br>205078 | Steve<br>Sawyer                 | S of<br>Sardis Rd /<br>E of Saralvo<br>Rd | 20.234  |

**ATTACHED EXHIBITS**

1. ETJ Petition Map for (9/21/2026) City Council Meeting
2. Proposed Ordinance
3. Exhibits A – E Legal Descriptions, Location Maps

**STAFF CONTACT INFORMATION**

*Prepared by:*

David Jones/ Oanh Vu  
Planner/Senior Planner  
[djones@waxahachietx.gov](mailto:djones@waxahachietx.gov)  
[ovu@waxahachietx.gov](mailto:ovu@waxahachietx.gov)

*Reviewed by:*

Trenton Robertson, AICP  
Director of Planning  
[trobertson@waxahachietx.gov](mailto:trobertson@waxahachietx.gov)

(ue)

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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF FIVE (5) DESIGNATED TRACTS COMPRISING TEN (10) PARCELS OF LAND TOTALING APPROXIMATELY 71.99 ACRES, KNOWN AS CASE NUMBERS ETJ-PTN-80-2026, ETJ-PTN-107-2026, ETJ-PTN-108-2026, ETJ-PTN-116-2026, AND ETJ-PTN-120-2026, 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 properties have requested and petitioned in writing that the City of Waxahachie ("**City**") exclude the properties herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

**WHEREAS**, City staff has determined that the following submitted petitions comply 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 properties from the City's ETJ:

- 1. Case No. ETJ-PTN-80-2026: approximately 21.295 acres, located at 1748 Wilson Rd, Property ID 181684;**
- 2. Case No. ETJ-PTN-107-2026: approximately 1.56 acres, located at 2075 Marshall Rd, Property ID 308113;**
- 3. Case No. ETJ-PTN-108-2026: approximately 15.6 acres, located at 1650 N Oak Branch Rd, Property ID 304066;**
- 4. Case No. ETJ-PTN-116-2026: approximately 13.3 acres, located at 420 S Westmoreland Rd, Property ID 185055; and**
- 5. Case No. ETJ-PTN-120-2026: approximately 20.234 acres, located south of Sardis Road and east of Saralvo Rd, Property IDs 180418, 180419, 180494, 200230, and 205078;**

**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 and shown on location maps in the attached Exhibits, which are made a part hereof and attached hereto for all purposes:

- Exhibit A: Legal Description and Location Map for Case No. ETJ-PTN-80-2026 (Property ID 181684)

(67)

- Exhibit B: Legal Description and Location Map for Case No. ETJ-PTN-107-2026 (Property ID 308113)
- Exhibit C: Legal Description and Location Map for Case No. ETJ-PTN-108-2026 (Property ID 304066)
- Exhibit D: Legal Description and Location Map for Case No. ETJ-PTN-116-2026 (Property ID 185055)
- Exhibit E: Legal Description and Location Map for Case No. ETJ-PTN-120-2026 (Property IDs 180418, 180419, 180494, 200230, and 205078).

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 Sections 42.023 and 42.105 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

If any petition, exhibit, tract release, section, sentence, or clause of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining tract releases or portions of this Ordinance, and the City Council hereby declares that it would have approved the release of each tract independently.

**PASSED, APPROVED AND ADOPTED** on this 21<sup>st</sup> day of September 2026.

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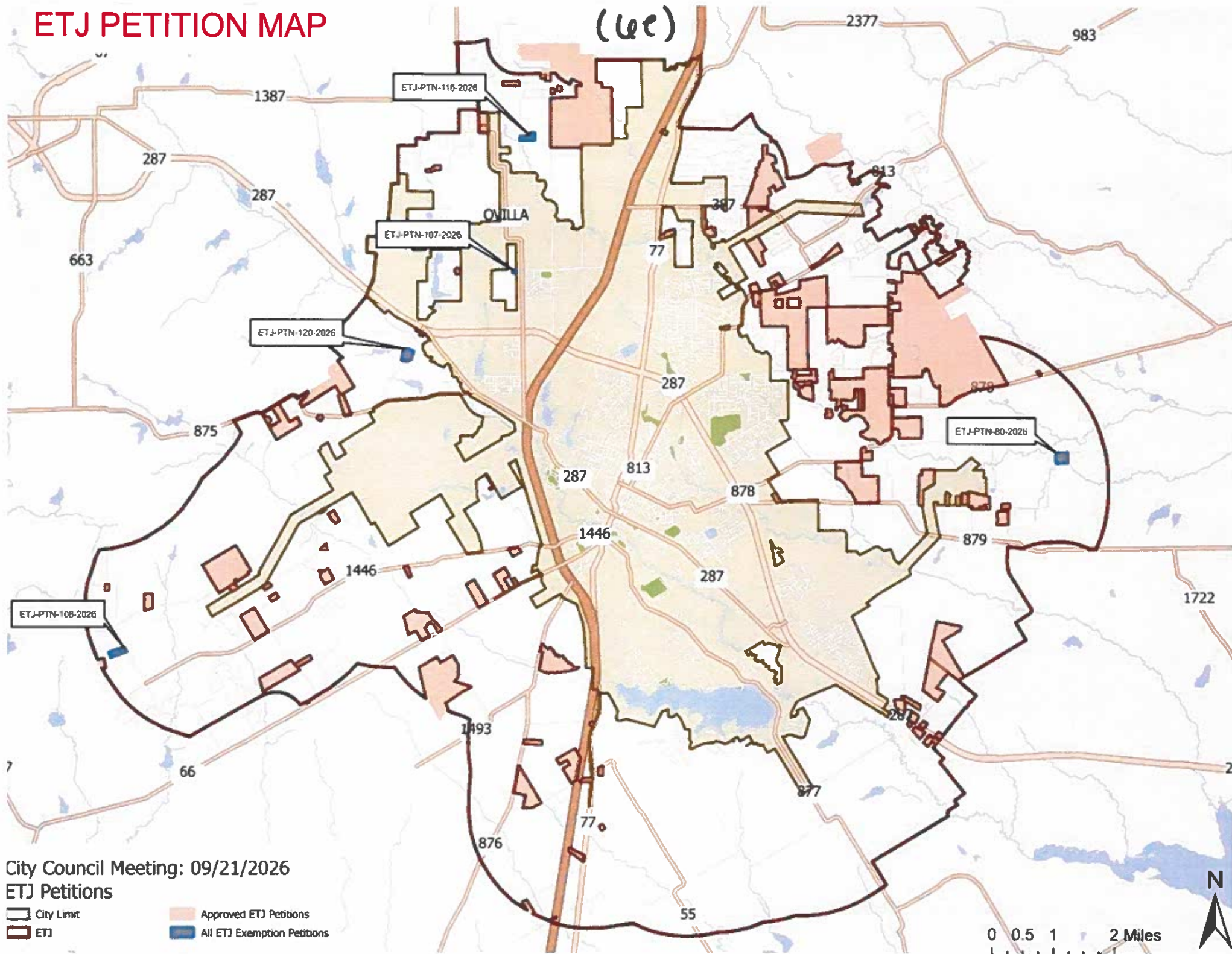
MAYOR

ATTEST:

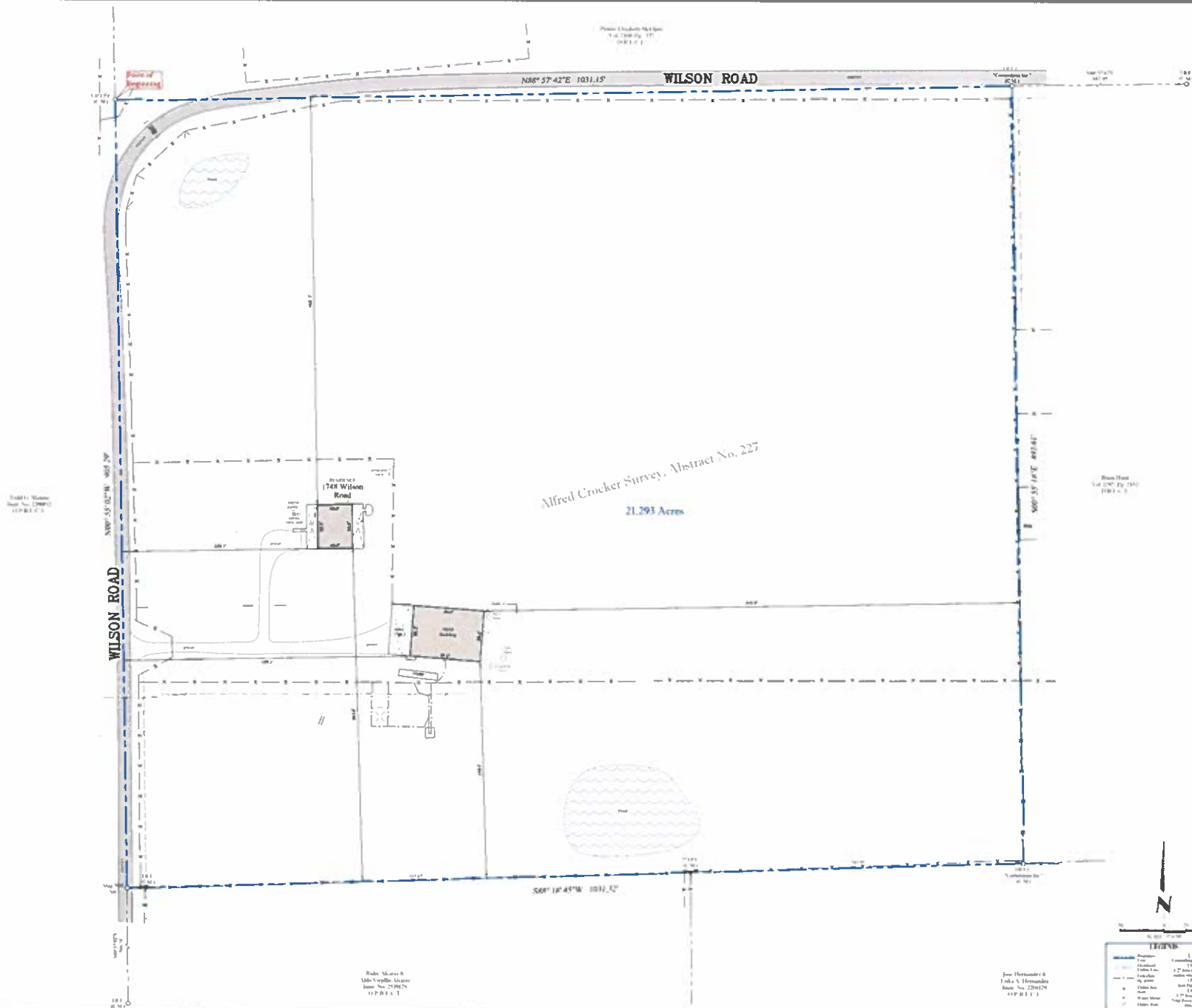
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City Secretary

# ETJ PETITION MAP



### Exhibit A Plat



and containing 23 261 acres of land, more or less.

[illegible]

(ue)

Exhibit A- Location Map



JERRY P. JOHNSON  
VOL. 1893, PG. 210,  
OPRECT

RICHARD LUCAS & LINDA A. DONNER  
VOL. 2454, PG. 2286, OPRCT

H. H. SELF, ARST. 1003

DANA RENEE LENNON  
LOTS 1 & 2,  
McNAUGHTONS CORNER  
VOL. 1740, PG. 971, OPRECT

~~MARSHALL ROAD~~

W. M. DOWNING, ABST. 297  
WILLIAM PAINE, ABST. 835

J. MCCARTNEY, ABST. 768

LOT 4  
RWIN BRANCH ADDITION  
4.758 Acres

LUZBETH LAGUNES  
EST. NO. 2137249, DPAECT

(PLAT - N 54° E 279.4')  
00°05'03" E 247.9'

LOT 1R-A  
1.5684 Acres

NOTE:

PROPERTY IS IN THE EXTRA TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE AND IS SUBJECT TO THEIR PLATTING RULES AND REGULATIONS.

James McCartney Survey Abstract Number 768  
L. J. Irwin Survey Abstract Number 547 (Lockhart J. Irwin)  
20° BL & DUE.

S 89°49'17" W 278.47'

NOTE.  
PLATTED COUNTY  
BUILDING LINES  
TERMINATE AT CITY  
LIMITS LINE

S 89°49'17" W 738.80

1107 OVILLA ROAD  
DIANE F. DYKIS  
TO  
JERAMYA & HILLARY MENSON  
INST NO. 2036612. DIRECT

LOT 1R-B

RESIDUAL LOT 1  
IRWIN BRANCH  
CAR. B. SLIDE 26. PRECT

1111 OVILLA ROAD  
LEO J SCHUMACHER SR  
TO  
RHENDI J. HEIBEL &  
PATRICK D. HEIBEL  
VOL. 2158, PG. 2089, OPRECT

FM 664

SETTLER'S GLEN ADDITION, PHASE :

Find TXDOT  
WOOD STAKE

LINE TABLE  
L-1 S 89°44'55" W. 43.54'  
L-2 S 00°50'02" E. 3.37'



Diagram illustrating the division of a 100-degree angle into four parts: 0°, 25°, 50°, and 100°. The first and third parts are white, and the second and fourth parts are shaded. An arc above the 25° to 50° segment is labeled  $1^\circ = 50'$ .

**Surveyor's Certificate:**

KNOW ALL MEN BY THESE PRESENTS:

That I, Stuart G. Hamilton, Registered Professional Land Surveyor Number 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie and conforms to Texas Board of Professional Engineers and Land Surveyors Standards.

Registered Professional Land Surveyor  
Number 4480

### LEGEND

- P.O.B. - Point of Beginning
- P.O.C. - Property Corner Symbol
- F.M. - Fence
- S. - South
- S. - Steel Rod
- S. - Survey
- C.S.R. - Chain and Steel Rod
- U.E. - Utility Easement
- P/P - Utility Pole
- K.O.W. - Right of Way
- B. - Building Line
- W/L - Water Line
- W/W - Water Meter
- M/W - Sewer Manhole
- C/N - Caisson
- P/H - Fire Hydrant
- W/V - Water Valve
- D.L.E. - Drainage & Utility Easement
- T/A - Telephone Line
- OPRECT - Official Public Records
- C/C - Caisson, Fence
- PRECT - Plot Records
- C/C - Caisson, Fence
- Cab. - Cabinet
- SI - Steel
- DRECT - Deed Records
- C/C - Caisson, Fence
- T.A. - Tunnel, Airway, Transportation

NOTE: BUILDING LINES WITHIN  
CITY LIMITS ARE GOVERNED BY  
CURRENT ZONING  
REQUIREMENTS.

FLOODPLAIN NOTE:  
100 YEAR FLOODPLAIN  
PER FIRM MAP / 48139C0160 G  
AND FIRM MAP / 48139C0180 G  
DATED OCTOBER 19, 2023  
ZONE: X UNSHADED AS SHOWN

NOTE:  
ALL SET PROPERTY AND LOT CORNERS  
ARE SET 1/2" STEEL RODS WITH  
AN ORANGE CAP, STAMPED  
"DAVIS & McDELL", UNLESS  
OTHERWISE SPECIFIED ON THE PLAT

Owners: Patrick D. Heibel  
Rhonda Heibel  
11 Qvillo Road, Washachne TX 75167  
Phone: 469-550-1129



LOCATION MAP SCALE : 1" = 2000'

**Case No. SUB-181-2023**

**REPLAT**  
**LOT 1R-A AND LOT 1R-B**  
**IRWIN BRANCH ADDITION**

Being 4.019 Acres  
a part of Lot 1, Irwin Branch Addition  
according to the plat thereof recorded  
in Cabinet B, Slide 28,  
Plat Records, Ellis County, Texas,  
in the City of Waxahachie,  
Ellis County, Texas  
and in the Extraterritorial Jurisdiction  
of the City of Waxahachie,  
Ellis County, Texas  
**TWO (2) RESIDENTIAL LOTS**  
**SF-1 Zoning**



**DAVIS & McDILL, LLC**

**SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT**  
P.O. BOX 428, Waco, Texas 76788, Phone: 972-936-1185  
A Texas Licensed surveying firm # 10194481

Drawn by: D. Hocutt Date: 12/05/2023 Job no: 221-0176

(66)

STATE OF TEXAS  
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Patrick D. Heibel and Rhendi J. Heibel are the Owners of a tract of land situated in the James McCartney Survey, Abstract Number 766 and the L.J. Irwin Survey, Abstract Number 547, City of Waxahachie, Ellis County, Texas, and being a part of Lot 1, Irwin Branch Addition, an addition partly in the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet B, Slide 26, Plat Records, Ellis County, Texas (PRECT), and being the tract described in deed from Schumacher Revocable Trust to Rhendi J. Heibel and Patrick D. Heibel, recorded in Volume 2158, Page 2089, Official Public Records, Ellis County, Texas (OPRECT), and being more particularly described by its metes and bounds as follows:

BEGINNING at a point at the intersection of the "new" right of way line of FM 664, with the south line of said Lot 1, Irwin Branch Addition, at the southwest corner of the 0.375 acre tract described in deed from Rhendi J. Heibel and Patrick D. Heibel to State of Texas, recorded instrument Number 231942, OPRECT, and the northeast corner of the 0.139 acre tract described in agreement between Jeromya Hanson and Hillary Hanson and State of Texas, recorded in instrument Number 2320191, OPRECT, a 5/8 inch steel rod with pink cap stamped "TEXAS SURVEY MARKER RIGHT OF WAY MONUMENT (pink ROW cap), found, having Texas Coordinate System, North American Datum 1983, North Central Zone (Zone 4202), surface coordinate values of North = 6848369.576 feet and East = 2470128.148 feet, all bearings and coordinates are based thereon are obtained from observations of Global Positioning System satellites, from which a 1/2 inch steel rod found at the common east corner of Lot 1, Irwin Branch Addition, and Lot 2A, Irwin Branch Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet C, Slide 23, PRECT, bears N 89°44'55" E, 43.54 feet;

THENCE S 89°49'17" W (Plat - N 89°16' W), with the common line of said Lots 1 and 2A, Irwin Branch Addition, 738.80 feet to the southwest corner of said Lot 1, the northwest corner of said Lot 2A and on the east line of Lot 4, Irwin Branch Addition, recorded in Cabinet B, Slide 26, PRECT, 1/2 inch steel rod found;

THENCE N 00°05'03" E, with the common line of said Lots 1 and 4 for 247.99 feet (Plat - N 0°44' E, 279.4 feet) to the northwest corner of said Lot 1 and the northeast corner of said Lot 4, on the south right of way line of Marshall Road, a 1/2 inch steel rod with plastic cap stamped "C86" found;

THENCE S 89°26'02" E (Plat - S 89°16' E), with said Marshall Road right of way line and the north line of said Lot 1, for 319.78 feet to the northwest corner of said State of Texas 0.375 acre tract and said new right of way line of FM 664, a pink ROW cap found;

THENCE with said new right of way line of FM 664, the following courses and distances: S 00°50'02" E, 3.37 feet (Deed - S 00°07'33" E, 3.27 feet) to an angle in said right of way line, a pink ROW cap found; N 89°21'23" E, 115.22 feet (Deed - N 89°20'38" E, 115.22 feet) to an angle in said right of way line, a pink ROW cap found; S 81°33'39" E, 107.35 feet (Deed - S 81°32'17" E, 107.28 feet) to an angle in said right of way line, a pink ROW cap found; N 89°20'11" E, 164.50 feet (Deed - N 89°20'38" E, 164.54 feet) to an angle in said right of way line, a pink ROW cap found; S 45°30'23" E, 42.48 feet (Deed - S 45°40'48" E, 42.45 feet) to an angle in said right of way line, a pink ROW cap found; and S 00°42'20" E, 196.65 feet (Deed - S 54°12'E, 197.00 feet) to the point of beginning and containing approximately 4.019 acres of land.

OWNER'S CERTIFICATE  
CITY OF WAXAHACHIE, TEXAS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Patrick D. Heibel and Rhendi J. Heibel, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as LOT 1R-A AND LOT 1R-B, IRWIN BRANCH ADDITION, on 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. 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 of particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereat. 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 at any time procuring permission from anyone.

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

OWNER'S CERTIFICATE  
ELLIS COUNTY, TEXAS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Patrick D. Heibel and Rhendi J. Heibel, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as LOT 1R-A AND LOT 1R-B, IRWIN BRANCH ADDITION, on addition to the Ellis County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. Patrick D. Heibel and Rhendi J. Heibel do(es) herein certify the following:

1. The streets and alleys are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The Easements and public use areas, as shown, and created by this plat, are dedicated, for the public use forever, for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
5. Ellis County is not responsible for replacing any improvements in, under, or over and assessments caused by maintenance or repair.
6. Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and Ellis County's use thereat.
7. Ellis County and/or public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. Ellis County and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by Ellis County.

This plat approved subject to all plotting ordinances, rules, regulations and resolutions of the Ellis County, Texas.

WITNESS, my hand, this 13 day of December, 2023

By:

Patrick D. Heibel  
Patrick D. Heibel, Owner

WITNESS, my hand, this 13 day of December, 2023

By:

Rhendi J. Heibel  
Rhendi J. Heibel, 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 Patrick D. Heibel, Owner, 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 purposes and considerations therein expressed.

Given under my hand and seal of office, this 13 day of December, 2023

Michelle Venisat  
Notary Public in and for the State of Texas

My Commission Expires On:

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 Rhendi J. Heibel, Owner, 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 purposes and considerations therein expressed.

Given under my hand and seal of office, this 13 day of December, 2023

Michelle Venisat  
Notary Public in and for the State of Texas

My Commission Expires On:



## ON-SITE SEWAGE FACILITY STATEMENT

This plat has been approved by the Department of Development of Ellis County, Texas for on-site sewage disposal facilities and meets or exceeds the minimum requirements established by TCEQ and the Ellis County Septic Order, pending any and all information as may be required by the Ellis County Department of Development.

Department of Development Director

Approval Date:

Approval Block:

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: Ramona BlalockDate: 11-29-23Chairperson  
By: Charles CrockerDate: 12-15-23

Attest:

STATE OF TEXAS  
COUNTY OF ELLIS

Certificate of approval by the Commissioners Court of Ellis County, Texas:

Approved the date, the 23 day of January, 2024

Scott Little  
Scott Little, County Judge

Randy Stange  
Randy Stange, Commissioner Precinct # 1

Paul Perry  
Paul Perry, Commissioner Precinct # 3

Kane Grayson  
Kane Grayson, Commissioner Precinct # 2

Kyle Smith  
Kyle Smith, Commissioner Precinct # 4

ATTEST:

Augusta Kuy  
Augusta Kuy, County Clerk



## Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS: That I, Stuart G. Hamilton, Registered Professional Land Surveyor Number 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as well as properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie and conforms to Texas Board of Professional Engineers and Land Surveyors Standards.

Stuart G. Hamilton  
Registered Professional Land Surveyor  
Number 4480

REPLAT

**LOT 1R-A AND LOT 1R-B  
IRWIN BRANCH ADDITION**

Being 4.019 Acres

a part of Lot 1, Irwin Branch Addition  
according to the plat thereof recorded  
in Cabinet B, Slide 26,  
Plat Records, Ellis County, Texas,  
in the City of Waxahachie,  
Ellis County, Texas  
and in the Extraterritorial Jurisdiction  
of the City of Waxahachie,  
Ellis County, Texas  
**TWO (2) RESIDENTIAL LOTS**  
**SF-1 Zoning**



**DAVIS & McDILL, LLC**  
SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT  
P.O. BOX 428, Waxahachie, Texas 75166, Phone: 972-938-1185  
A Texas Licensed surveying firm # 10194881

Case No. SUB-181-2023

Drawn by: D. Hocutt Date: 12/05/2023 Job no: 221-0176

(ue)



(we)

OLD REPUBLIC TITLE  
515400 6/7/23 VB

**SCRIVENER'S ERROR CORRECTIVE AFFIDAVIT  
TO CORRECT CLERICAL ERROR IN GENERAL WARRANTY DEED**

CORRECTIVE AFFIDAVIT TO GIVE NOTICE OF TYPOGRAPHICAL OR OTHER OBVIOUS MINOR ERROR(S) MADE IN AN INSTRUMENT AS ORIGINALLY RECORDED IN THE OFFICE OF THE ELLIS COUNTY CLERK OF ELLIS COUNTY, TEXAS.

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED VANESSA BRIGGS KNOWN TO ME TO BE THE PERSON EXECUTING THIS AFFIDAVIT AND, AFTER BEING BY ME DULY SWORN, DEPOSED AND STATED THAT SHE HAS PERSONAL KNOWLEDGE OF THE FACTS CONTAINED HEREIN.

RE: GENERAL WARRANTY DEED  
INSTRUMENT NUMBER 2611231  
RECORDED 4/02/2026

NAMES OF ALL PARTIES TO THE ORIGINAL GENERAL WARRANTY DEED INSTRUMENT:

GRANTOR: LH HOLDINGS LLC- SERIES 98 WAX, A TEXAS LIMITED LIABILITY COMPANY

GRANTEE: JUDGE PLATT, TRUSTEE OF GRV ASSET REVOCABLE TRUST

STATE OF TEXAS  
COUNTY OF ELLIS

I, the undersigned, hereby certify that the following error appears in the above named recorded instrument in accordance with the provisions of Section 5.028 of the Texas Real Property Code.

DESCRIPTION OF ERROR: By error or omission, WARRANTY DEED WAS RECORDED WITH INCORRECT LEGAL:

The correct legal description reads as follows:

BEING all that certain parcel of land situated in the JAMES A. BLAKELY SURVEY, ABSTRACT NO. 189 and in the ABRAHAM SNIDER SURVEY, ABSTRACT NO. 982, Ellis County, Texas, and being a portion of the 98.318 tract of land conveyed to L.H. Holdings LLC by General Warranty Deed recorded in Instrument 2336191 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a PK nail set in the east line of said Holdings Tract and Oak Branch Road (a county road) for the southeast corner of this tract and which bears N 31°29'38" W, a distance of 20.61 feet; N 29°06'15" W, a distance of 11.47; and N 30°45'29" W, a distance of 448.21 feet from a 1/2" iron rod found for the southeast corner of said Holdings Tract;

THENCE S 70°58'51" W, along the south line of this tract, passing at 30.64 feet a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for witness, in all, a distance of 1497.88 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for the southwest corner of this tract;

THENCE N 18°20'08" W, along the west line of this tract, a distance of 476.58 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for the northwest corner of this tract;

THENCE N 70°58'51" E, along the westerly north line of this tract, a distance of 1239.97 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for the northerly northeast corner of this tract;

THENCE S 30°45'29" E, along the northerly east line of this tract, a distance of 62.63 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for an interior corner of this tract;

FILED FOR RECORD - ELLIS COUNTY, TEXAS  
INST NO. 2616071 FILING DATE/TIME: May 8, 2026 at 8:06 AM

# Exhibit C - Metes and Bounds

(u)

THENCE N 70°39'01" E, along the easterly north line of this tract, passing at 122.42 feet a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for witness, in all, a distance of 153.02 feet to a PK nail set in the east line of said Holdings Tract and in Oak Branch Road for the east northeast corner of this tract;

S 30°45'29" E, along the east line of said Holdings Tract and along Oak Branch Road, a distance of 425.00 feet to the PLACE OF BEGINNING, and containing 15.600 acres of land as surveyed on the ground March 2, 2026 by Walker Land Surveying Company. Basis of bearings is GPS observation, Texas Coordinate System, North Central Zone.

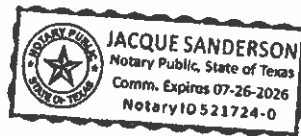
This Affidavit is being made for the sole purpose of correcting the legal description of the GENERAL WARRANTY DEED.

Executed this 22 day of April, 2021

  
VANESSA BRIGGS  
Escrow Officer

This instrument was acknowledged before me on the 22nd day of April, 2021 by  
VANESSA BRIGGS

  
Notary Public, State of Texas



FILED FOR RECORD - ELLIS COUNTY, TEXAS  
INST NO. 2616071 on May 8, 2026 at 8:06 AM

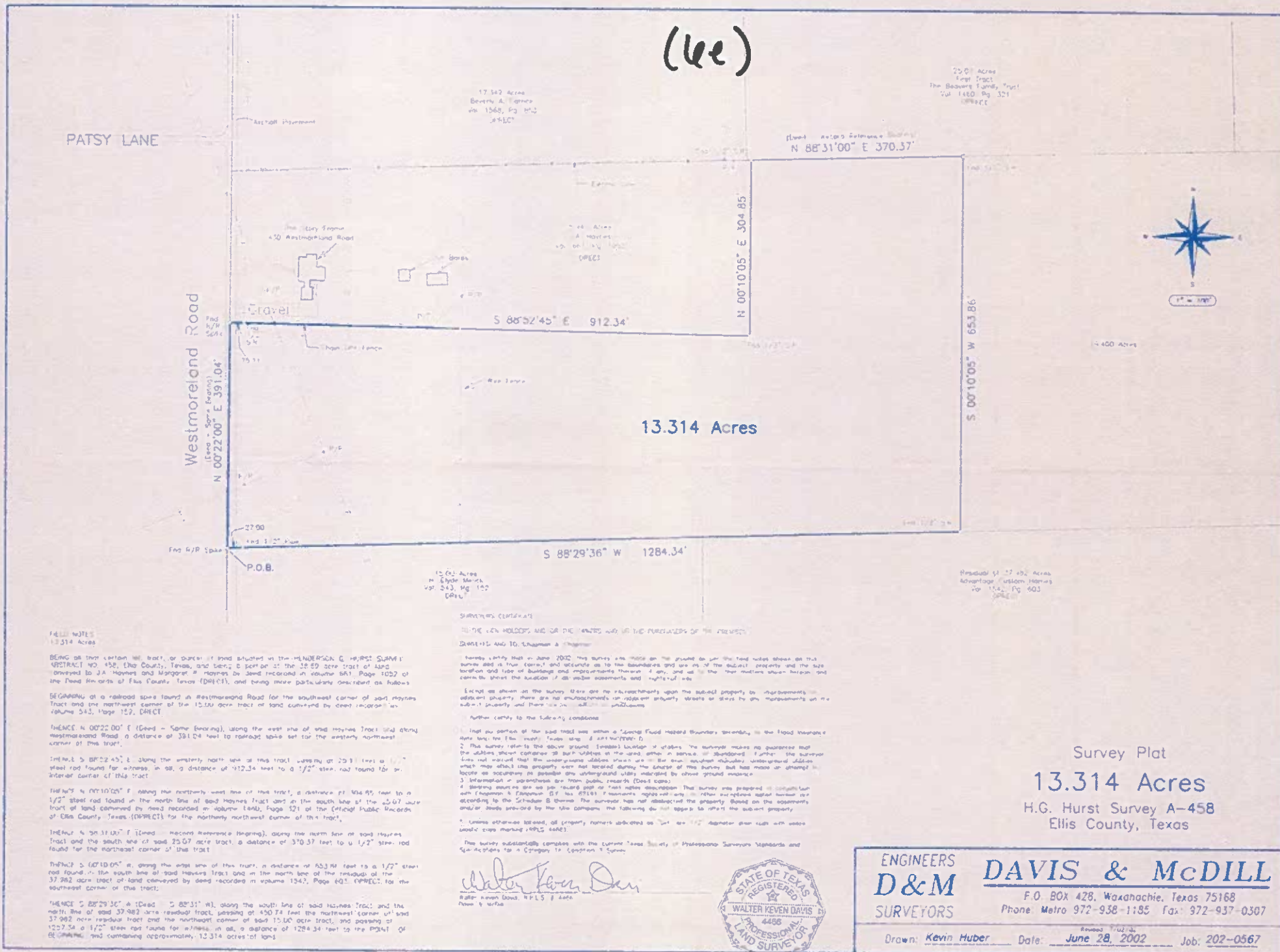




(see)

Exhibit C- Location Map



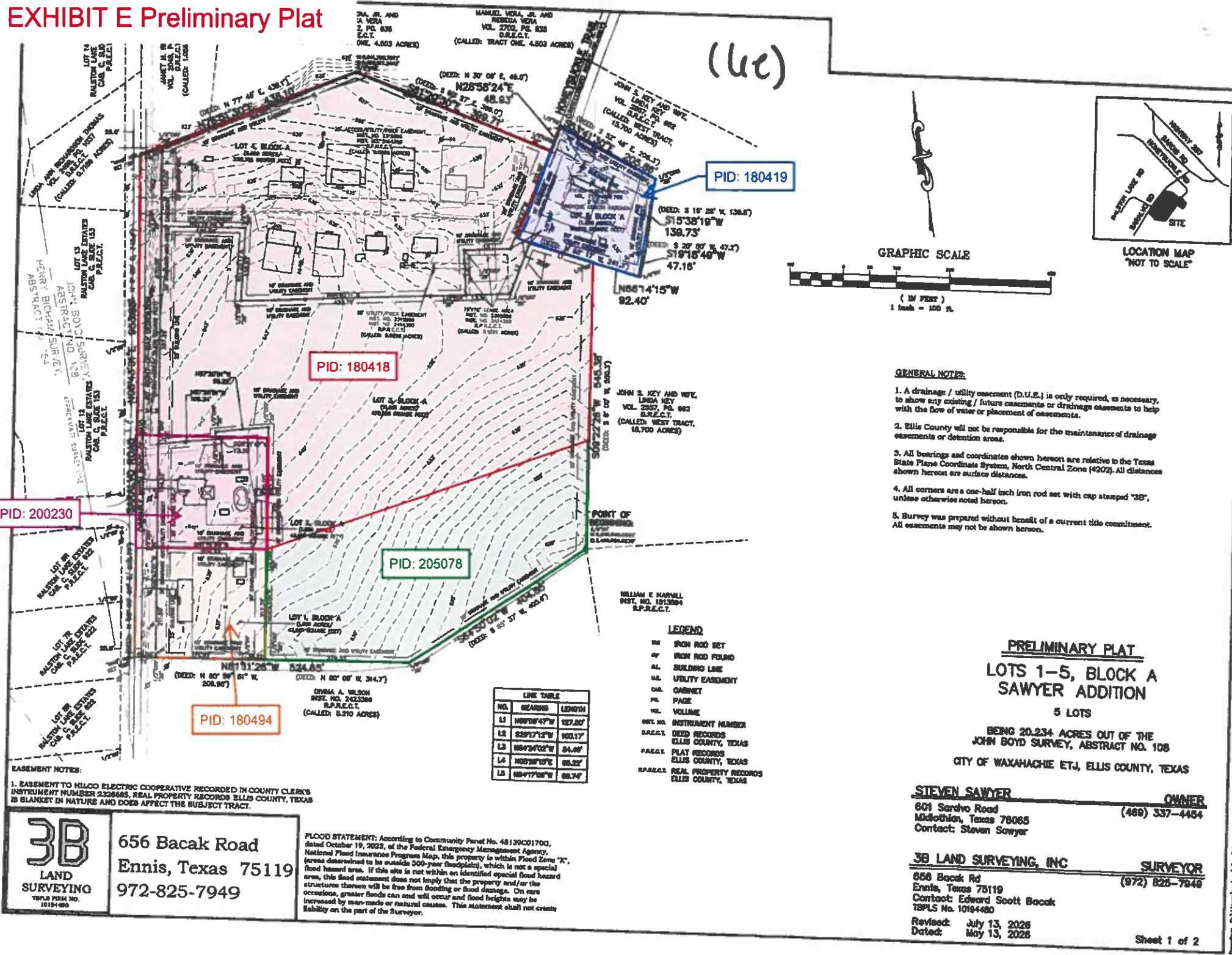


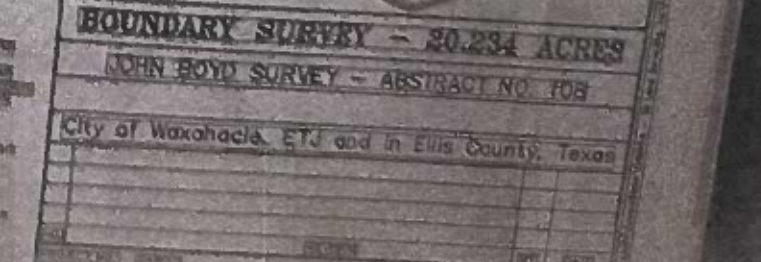
(ue)

Exhibit D- Location Map



# EXHIBIT E Preliminary Plat



[illegible]

(6e)

## EXHIBIT E - Location Map



ETJ-PTN-120-2026 (ETJ PETITION)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Assistant City Manager  
Thru: Ricky Boyd, City Manager *RB*  
Date: September 21, 2026  
Re: Consider agreement for PID consultant with MuniCap, Inc.

---

**Recommended Motion:** "I move to approve an agreement between MuniCap, Inc. and the City of Waxahachie, for future PID representation."

**Item Description:** The City of Waxahachie and MuniCap, Inc. have entered into multiple individual agreements for representation as Public Improvement District Administrator for current PIDs within the City. The proposed agreement would allow the City of Waxahachie to be represented by MuniCap, Inc. for future proposed PID administration should developments require a PID.

Responsibilities of the PID Administrator include preparation of the service and assessment plans, as well as issuance of bonds, and any related administration of the PID. The PID Administrator will perform these specialized services in representation of the City throughout the PID process.

**Item Summary:** The City of Waxahachie enters into an agreement with MuniCap, Inc for representation in future PID administration.

**Fiscal Impact:** There is no fiscal impact to the City, as PID assessments collected will be responsible for the payment of the services of the PID administration.



## Memorandum

To: Honorable Mayor and City Council  
From: Dustin Deel, Director of Administrative Services  
Thru: Ricky Boyd, City Manager *RB*  
Date: September 21<sup>th</sup>, 2026  
Re: Consider Resolution Authorizing Execution of FY2027 Routine Airport Maintenance Program Grant Agreement

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**Recommended Motion:** "I move to approve the resolution authorizing the City Manager to execute the FY2027 Routine Airport Maintenance Program Reimbursable Grant Agreement with the Texas Department of Transportation for Mid-Way Regional Airport.

**Item Description:** Consider approval of a resolution authorizing the City Manager to execute a Reimbursable Grant Agreement with the Texas Department of Transportation (TxDOT) for the FY2027 Routine Airport Maintenance Program (RAMP) at Mid-Way Regional Airport.

**Item Summary:** The Texas Department of Transportation provides annual funding through the Routine Airport Maintenance Program to assist local airports with eligible infrastructure preservation and airport safety activities.

For FY2027, TxDOT will reimburse 90% of eligible project costs, up to a maximum state participation of \$100,000. Mid-Way Regional Airport plans to utilize the FY2027 funding toward a hangar roof replacement project. The anticipated project cost will allow the Airport to utilize the full \$100,000 available through the RAMP program.

Mid-Way Regional Airport is jointly owned by the Cities of Waxahachie and Midlothian, and both cities are identified as sponsors under the grant agreement.

Approval of the resolution will authorize execution of the FY2027 agreement and allow the Airport to utilize the available RAMP funding for eligible project costs.

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**Fiscal Impact:** TxDOT will reimburse 90% of eligible project costs, up to a maximum of \$100,000. The remaining project costs will be funded through the Airport's approved budget in the Airport Fund.

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**RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the Routine Airport Maintenance Program (RAMP) grant is a 90/10 match from the Texas Department of Transportation that is received annually to assist with eligible infrastructure preservation and airport safety activities; and

**WHEREAS**, the Texas Department of Transportation will reimburse ninety percent (90%) of eligible project costs, up to a maximum of \$100,000, for eligible infrastructure preservation and airport safety activities; and

**WHEREAS**, eligible activities may include maintenance and preservation of airport infrastructure and safety-related systems, as provided in the RAMP Grant Agreement; and

**WHEREAS**, all work that is eligible under the RAMP grant shall be accomplished by August 31, 2027, unless otherwise approved by the State;

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

**SECTION ONE.** The City Council hereby authorizes the City Manager to negotiate and execute an agreement with the Texas Department of Transportation accepting a Routine Airport Maintenance Program providing reimbursement of ninety percent (90%) of eligible project costs, up to a maximum State participation of \$100,000.

**SECTION TWO.** This Resolution shall become effective immediately upon its passage.

**PASSED AND APPROVED THIS THE 21<sup>ST</sup> DAY OF September 2026.**

**APPROVED:**

\_\_\_\_\_  
Billie Wallace, Mayor, City of Waxahachie

**ATTEST:**

\_\_\_\_\_  
Amber Villarreal, City Secretary, City of Waxahachie

# Planning & Zoning Department

## Zoning Staff Report

(7)

Case: ZDC-89-2026



### MEETING DATE(S)

Planning & Zoning Commission: August 25, 2026  
City Council: September 21, 2026

### CAPTION

**Public Hearing** on a request by Corey Riley, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family-2 zoning district located at 106 Trinity Lane (Property ID 172884) - Owners: Cory Riley and Brooke Riley (ZDC-89-2026)

### RECOMMENDED MOTION

- "I move to recommend denial of ZDC-89-2026, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to recommend approval of ZDC-89-2026, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

### ACTION SINCE THE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on August 25, 2026, the Commission voted 3-2 to recommend approval of case number ZDC-81-2026, subject to the conditions of the staff report and an amended condition that the term of the SUP follow the term of tenant's certificate of occupancy.

### APPLICANT REQUEST

The Applicants requests a Specific Use Permit for a Short-Term Rental use at 106 San Jacinto Court.

### CASE INFORMATION

**Applicant:** Corey Riley  
**Property Owner(s):** Corey Riley and Brooke Riley  
**Site Acreage:** 0.22 acres  
**Current Zoning:** SF-2  
**Requested Zoning:** SF-2 with a Specific Use Permit (SUP) for Short-Term Rental use.

### SUBJECT PROPERTY

**General Location:** 106 Trinity Lane  
**Parcel ID Number(s):** 172884  
**Existing Use:** Residential Use  
**Development History:** The subject property is platted as Lot 4, Block 5 of the College Hills Subdivision.

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**Adjoining Zoning & Uses:**

| Direction | Zoning | Current Use             |
|-----------|--------|-------------------------|
| North     | SF-2   | Single Family Residence |
| East      | SF-2   | Single Family Residence |
| South     | SF-2   | Single Family Residence |
| West      | SF-2   | Single Family Residence |

**Future Land Use Plan:**

Mixed Use Neighborhood

**Comprehensive Plan:**

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

**Thoroughfare Plan:**

The subject property is accessible via Trinity Lane

**Site Image:**



**PLANNING ANALYSIS**

The Applicant requests a SUP for short-term rental use at 106 Trinity Lane due to its location within the SF-2 zoning district. The subject property consists of a primary structure being approximately 1,705 square feet in size with four (4) Bedrooms and an attached two car garage. The garage will be accessible to guests and there is sufficient space in the driveway to accommodate 2 vehicles. There will be a maximum of ten (10) guests. Four vehicles are the

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maximum number of allowed vehicles. The applicant was operating the property as a Short-Term Rental but has ceased operations until the approval of this SUP. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls at this address. The applicant's local emergency contact is Emily Reed, 327 S Centre Ave, Lancaster, TX 75146, which is located approximately 15 miles from the subject property.

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 93 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in The Waxahachie Daily light and a sign was visibly posted at the property. Staff have received zero (0) letters of support and zero (0) letters of opposition to the case.

#### **RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

#### **Conditions:**

1. The short-term rental operator shall complete the STR registration process with the City's vendor and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of ten (10) guests per stay.
4. The short-term rental operator shall permit a maximum of four (4) vehicles to be parked on the subject property. Off-site and/or on-street parking is prohibited.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

#### **APPLICANT REQUIREMENTS**

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

#### **ATTACHED EXHIBITS**

1. Location Map (Exhibit A)
2. Zoning Map (Exhibit B)
3. Floorplan/Site Plan (Exhibit C)
4. Host Rules (Exhibit D)

#### **STAFF CONTACT INFORMATION**

##### ***Prepared by:***

David Jones

Planner

[djones@waxahachietx.gov](mailto:djones@waxahachietx.gov)

##### ***Reviewed by:***

Trenton Robertson, AICP

Director of Planning

[trobertson@waxahachietx.gov](mailto:trobertson@waxahachietx.gov)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENATL USE WITHIN A SINGLE FAMILY 2 ZONING DISTRICT, LOCATED AT 106 TRINITY LANE, BEING PROPERTY ID 172884, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4, BLOCK 5 OF THE COLLEGE HILLS SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as SF-2; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-89-2026. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from SF-2 to SF-2, with an SUP in order to permit a Short-Term Rental use on the following property: Lot 4, Block 5 of The College Hills Subdivision, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit C.

#### **SPECIFIC USE PERMIT**

##### **Purpose and Intent**

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

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY 2 ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The development shall conform as approved by the City Council under case number ZDC-89-2026.
2. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit C – Site Plan, and Exhibit D – Host Rules,
3. The short-term rental operator shall complete the STR registration process with the City's vendor and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
4. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
5. The short-term rental operator shall allow a maximum occupancy of ten (10) guests per stay.
6. The short-term rental operator shall permit a maximum of four (4) vehicles to be parked on the subject property. Off-site and/or on-street parking is prohibited.
7. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
8. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
9. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
10. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated

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and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 21st day of September 2026.

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MAYOR

ATTEST:

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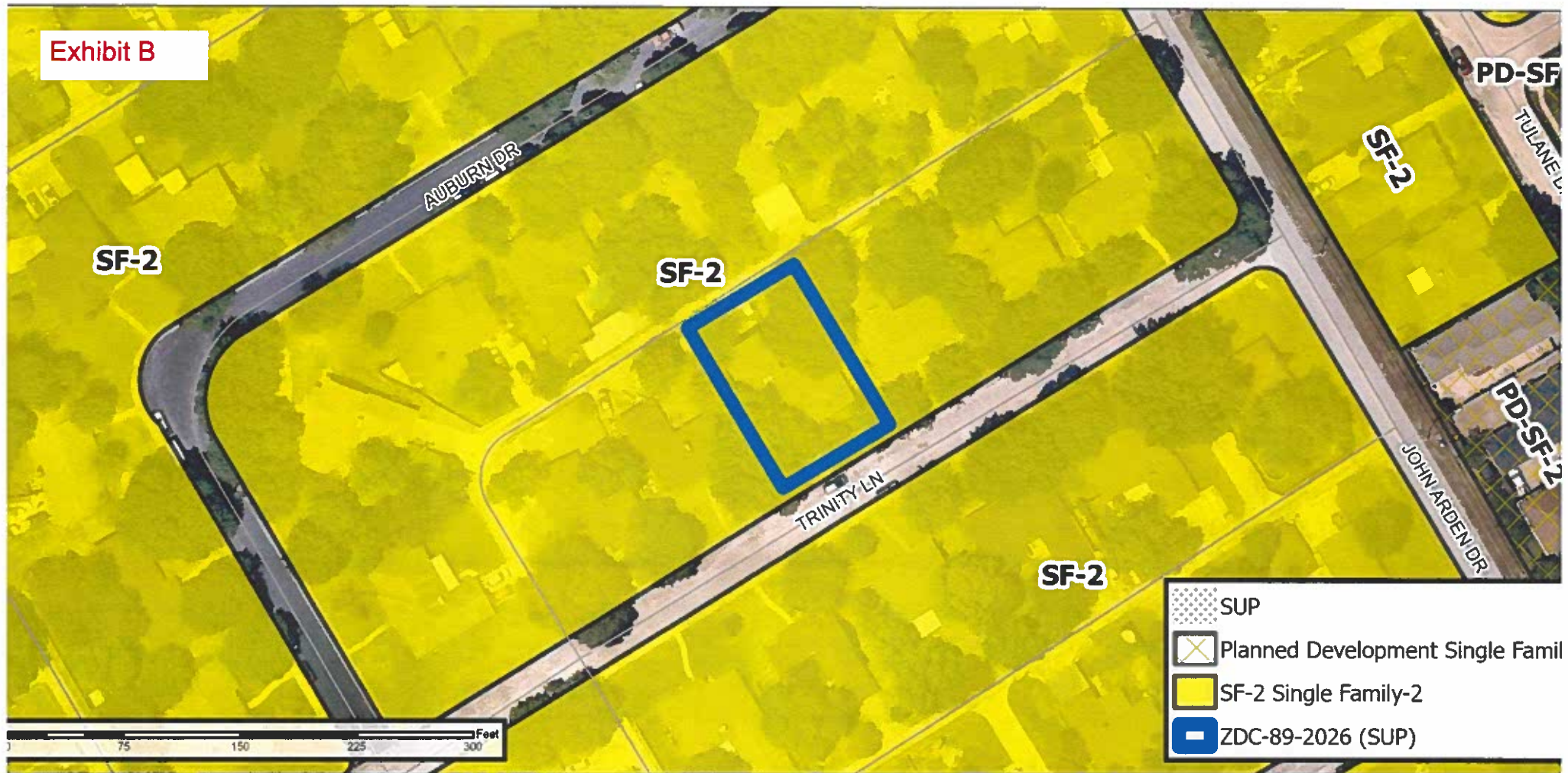
City Secretary

(8)

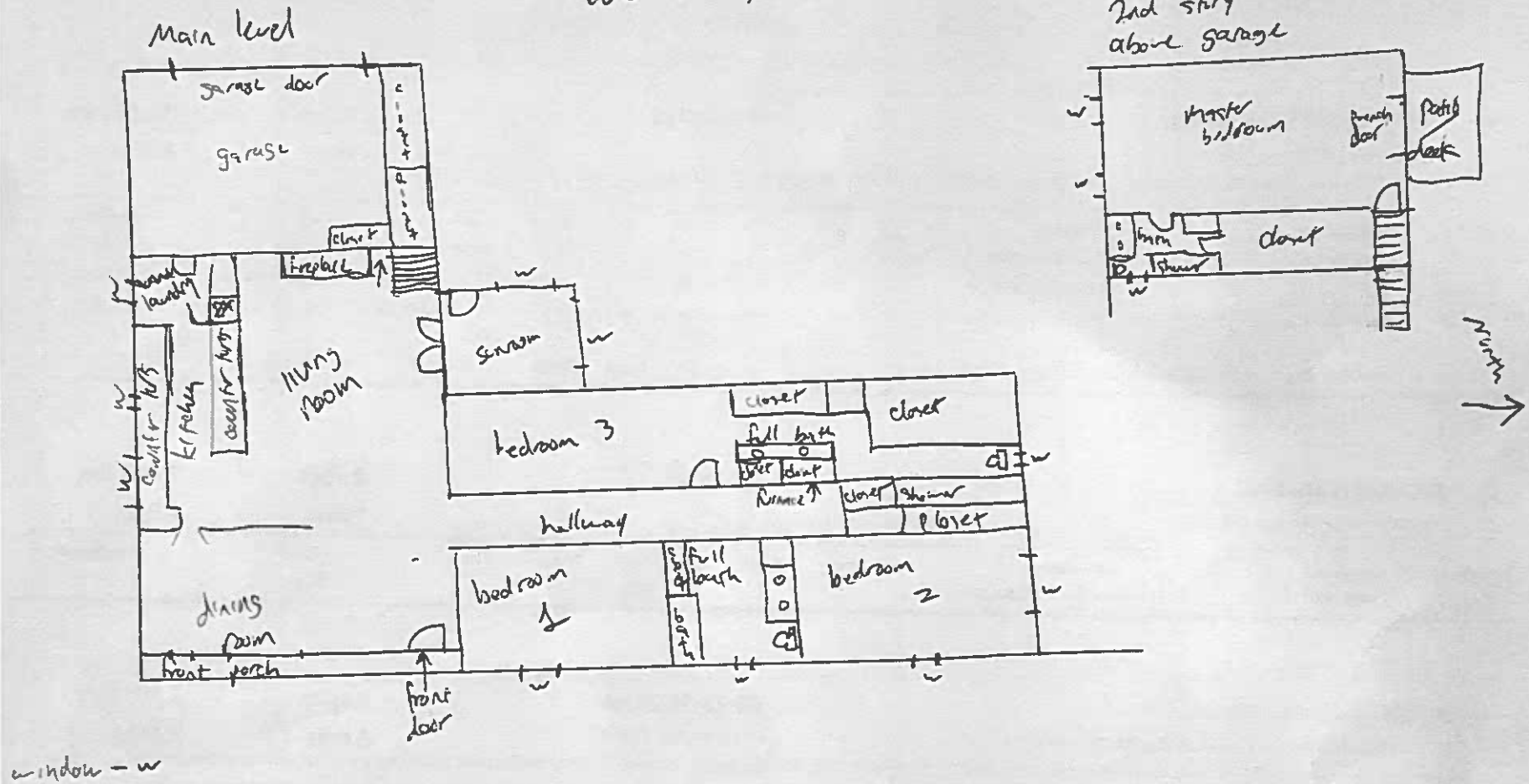
Exhibit A

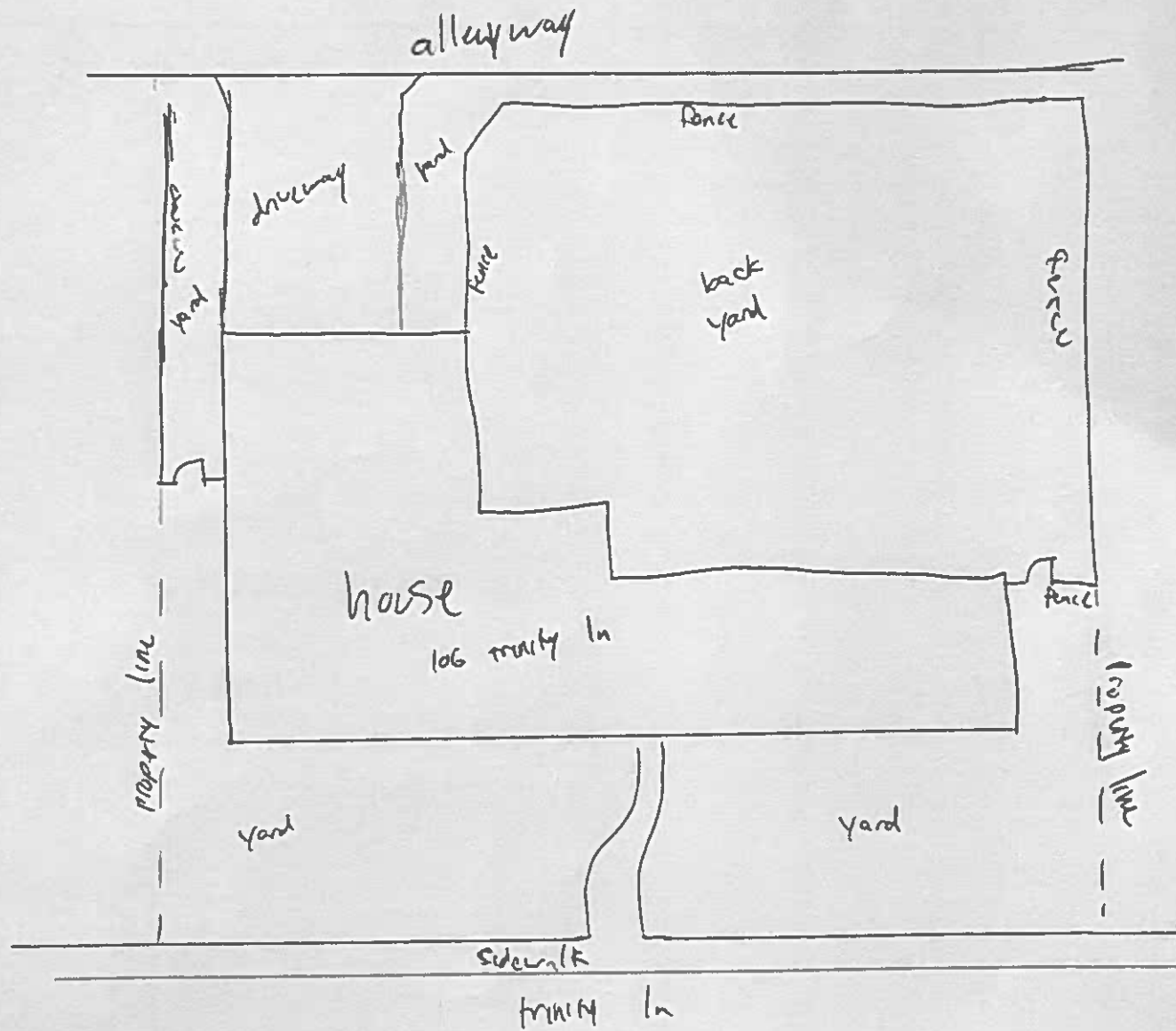


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# House Rules

*continued*

## Noise & Quiet Hours

Quiet hours are 10:00 PM – 8:00 AM.

Outdoor noise, music, and gatherings must cease by 10:00 PM out of respect for our neighbors.

## Pets

Pets are welcome on a case-by-case basis — please contact your host before booking.

Approved pets are subject to a pet fee, confirmed at the time of approval.

Pets must be kept off furniture and out of bedrooms unless otherwise arranged.

Any pet-related damage is the guest's financial responsibility.

## Smoking

Refuge on Trinity is a non-smoking property, indoors and outdoors.

Violation of this policy will result in a deep-cleaning fee.

## Property Care

Please treat the home with the same care you'd want in your own — it features premium mattresses, quality bedding, and thoughtful boho farmhouse decor.

Damage beyond normal wear and tear will be documented and addressed through the booking platform.

Tampering with or removing smoke detectors is strictly prohibited.

## Balcony Closure

The balcony is currently closed to guests and is not safe for use. Please do not access the balcony under any circumstances until repairs are complete. Thank you for your understanding.

## Before You Check Out

Bag all trash and place it in the outdoor bins. The green bin is for trash and the blue bin is for recycling.

— 4 —

Load dirty dishes in the dishwasher and start a cycle.

Start a load of laundry with the used towels.

Beds do not need to be stripped — please leave linens in place for our cleaning team.

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# House Rules

*A few simple things to help your stay go smoothly*

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## Check-In & Check-Out

Check-in: 4:00 PM · Check-out: 10:00 AM

Entry is via keyless entry — a unique access code is sent 24 hours before arrival. No physical key exchange required.

Early check-in and late check-out are not guaranteed and must be arranged in advance with the host.

## Occupancy

Maximum occupancy is 10 guests, per City of Waxahachie ordinance.

All overnight guests must be listed on the reservation — unregistered overnight guests are not permitted.

Day visitors beyond the registered guest count must be pre-approved by the host.

## Parking

Maximum 4 vehicles permitted on the property at any time.

Vehicles must be parked in the driveway or designated parking areas only — parking on the grass or yard is not permitted.

Street parking availability is not guaranteed; please plan accordingly.

## No Parties or Events

Refuge on Trinity is a residential home, not an event or party venue.

Gatherings that exceed the registered guest count are not permitted.

Feel free to enjoy the fire pit, game room, and outdoor spaces within the bounds of normal residential use.

# Planning & Zoning Department

(9)

## Zoning Staff Report

Case: ZDC-81-2026



### MEETING DATE(S)

Planning & Zoning Commission:

August 25, 2026

City Council:

September 21, 2026

### CAPTION

**Public Hearing** on a request by Hilda Bailey, for a **Specific Use Permit (SUP)** for an **Accessory Structure Greater than or Equal to 700 S.F.** use within a Planned Development Single-Family-1 zoning district located at 2790 Eastham Way (Property ID 190456) - Owners: Hilda Bailey and Ronald Bailey (ZDC-81-2026)

### RECOMMENDED MOTION

*"I move to recommend approval of ZDC-81-2022, a Specific Use Permit for an Accessory Structure Greater than or equal to 700 S.F., subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."*

### ACTION SINCE THE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on August 25, 2026, the Commission voted 5-0 to recommend approval of case number ZDC-81-2026, subject to the conditions of the staff report and an amended condition that the term of the SUP follow the term of tenant's certificate of occupancy.

### APPLICANT REQUEST

The Applicant requests approval of a Specific Use Permit (SUP) for Accessory Structure Greater than or equal to 700 S.F.

### CASE INFORMATION

|                           |                                                                              |
|---------------------------|------------------------------------------------------------------------------|
| <b>Applicant:</b>         | Hilda Bailey                                                                 |
| <b>Property Owner(s):</b> | Hilda Bailey and Ronald Bailey                                               |
| <b>Site Acreage:</b>      | 2.1760 acres                                                                 |
| <b>Current Zoning:</b>    | PD-SF-1                                                                      |
| <b>Requested Zoning:</b>  | PD-SF-1 with an SUP for Accessory Structure Greater than or equal to 700 S.F |

### SUBJECT PROPERTY

|                             |                           |
|-----------------------------|---------------------------|
| <b>General Location:</b>    | 2790 Eastham Way          |
| <b>Parcel ID Number(s):</b> | 190456                    |
| <b>Existing Use:</b>        | Single Family Residential |

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**Development History:**

The subject property is not platted.

**Adjoining Zoning & Uses:**

| Direction | Zoning  | Current Use |
|-----------|---------|-------------|
| North     | PD-SF-1 | Residential |
| East      | FD      | Vacant      |
| South     | PD-SF-1 | Residential |
| West      | PD-SF-1 | Residential |

**Future Land Use Plan:**

Residential Neighborhood

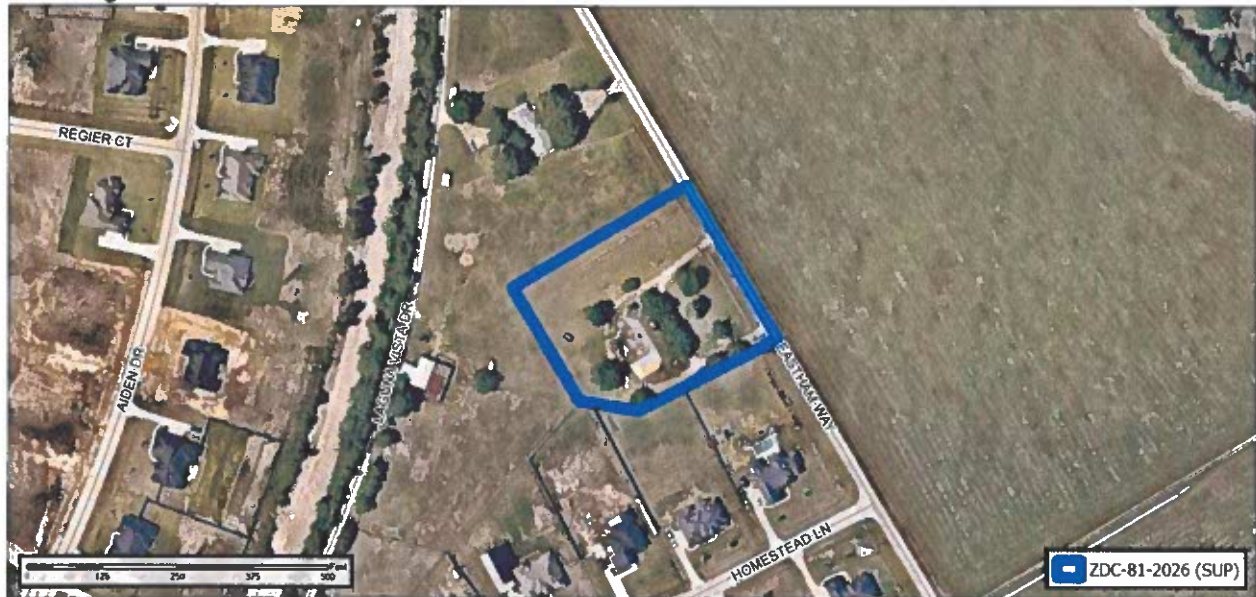
**Comprehensive Plan:**

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

**Thoroughfare Plan:**

The subject property is accessible via Eastham Way.

**Site Image:**



**PLANNING ANALYSIS**

The Applicant requests a Specific Use Permit (SUP) for an accessory structure exceeding 700 square feet use at 2790 Eastham Way. This will be the only accessory structure on the property and the structure will be 825 square feet. Per the City of Waxahachie Zoning Ordinance, accessory structures exceeding 700 square feet require an SUP to be approved by the City Council.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received no letters of support and no letters of opposition.

**RECOMMENDATION**

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

**Conditions:**

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council. The accessory structure shall not be used for commercial purposes.
2. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
3. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

**APPLICANT REQUIREMENTS**

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

**ATTACHED EXHIBITS**

1. Exhibit A – Location Map
2. Exhibit B – Operational Plan
3. Exhibit C – Site Plan
4. Exhibit D – Elevation Plan

**STAFF CONTACT INFORMATION**

*Prepared by:*

David Jones

Planner

[djones@waxahachietx.gov](mailto:djones@waxahachietx.gov)

*Reviewed by:*

Trenton Robertson, AICP

Director of Planning

[trobertson@waxahachietx.gov](mailto:trobertson@waxahachietx.gov)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE +700SF USE WITHIN A PLANNED DEVELOPMENT-SINGLE-FAMILY-1 ZONING DISTRICT, LOCATED AT 2790 EASTHAM WAY, BEING PROPERTY ID 190456, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as PD-SF-1; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-81-2026. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from PD-SF-1 to PD-SF-1, with an SUP in order to permit an Accessory Structure +700SF use on the following property: 956 WM STEWART Survey, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit C.

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

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

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE +700SF WITHIN A PLANNED DEVELOPMENT SINGLE FAMILY-1 (PD-SF-1) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

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

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated

and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 21st day of September, 2026.

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MAYOR

ATTEST:

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City Secretary

(10)



July 15, 2026.

I am seeking a permit to have a metal building kit 25x33 on my property, 2590 Old Italy Rd, Waxahachie Tx 75165, in tallation. This purpose will be for house hold storage and to keep equipment / tools to maintain my yards as you can see on my property plans its described ~~at~~ ~~it~~ there but I've changed it to go straight in front / back driveway from my first gate that's on the right side of the property.

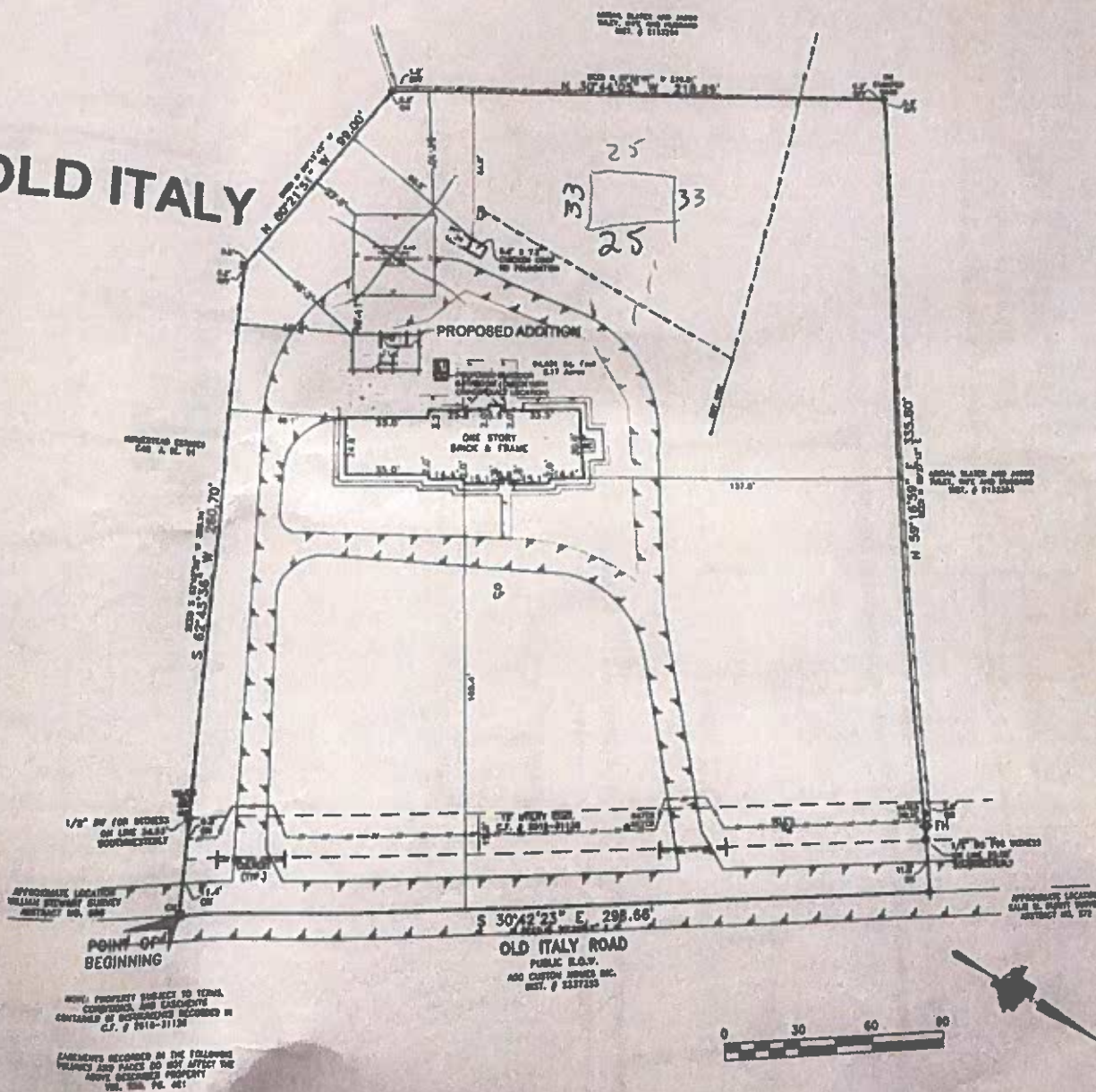
I certify this to be true & correct.

M. Mike Banta

(10)

Exhibit C

390 OLD ITALY



STE. PLAN

Scale 1/2" = 10'

SHEET:

C1

(10)

Exhibit D

# Double Garage Steel Barn Shed

**Model: K3325**

Installation instructions are included in the box

33FT

25FT

**-duty**

for Olympic Games



# Planning & Zoning Department

## Zoning Staff Report

(11)

Case: ZDC-77-2026



### MEETING DATE(S)

Planning & Zoning Commission:

August 25, 2026

City Council:

September 21, 2026

### CAPTION

**Public Hearing** on a request by Susan Dixon for a **Specific Use Permit (SUP)** for an **Accessory Structure greater than or equal to seven hundred (700) square feet**, use within a **Future Development (FD)** zoning district located at 109 Crystal Cove, (Property ID 218977) – Owner: Howard & Susan Dixon (ZDC-77-2026)

### RECOMMENDED MOTION

*"I move to approve ZDC-77-2026, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, use within a Future Development (FD) zoning district, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."*

### ACTION SINCE INITIAL STAFF REPORT

*At the Planning & Zoning Commission meeting held on August 25, 2026, the Commission voted 5-0 to recommend approval of case number ZDC-77-2026, subject to the conditions of the staff report.*

### APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for an accessory structure exceeding seven hundred (700) square feet for the purpose of attaching a workshop by means of a screened breezeway to the existing pool house

### CASE INFORMATION

**Applicant:** Susan Dixon

**Property Owner(s):** Howard & Susan Dixon

**Site Acreage:** 1.3140 acres

**Current Zoning:** Future Development (FD)

**Requested Zoning:** Future Development (FD) with a SUP for an accessory structure exceeding seven hundred (700) square feet.

### SUBJECT PROPERTY

**General Location:** 109 Crystal Cove

**Parcel ID Number(s):** 218977

**Existing Use:** Single family residential

**Development History:** The subject property is platted as Lot 1R, Block B of Crystal Cove Estates.

(11)

**Future Land Use Plan:**

Rural Estate

**Comprehensive Plan:**

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

**Thoroughfare Plan:**

The subject property is accessible via Crystal Cove.

**Site Image:**



**PLANNING ANALYSIS**

The applicant proposes a Specific Use Permit (SUP) to construct a 617 square-foot addition (workshop) to an already existing 644 square foot accessory structure at 109 Crystal Cove. The existing accessory structure received a building permit on August 30, 2021. Per the City of Waxahachie Zoning Ordinance, an SUP is required when an accessory structure is greater than or equal to 700 square feet. The proposed workshop will be attached by the same roof line and by means of a screened in breezeway. This makes the square footages additive, which then causes the accessory structure to exceed 700 sq ft. triggering the need for an SUP. If it were detached the total sum of each structure would still trigger an SUP for being in excess of 1,000 sq ft. The primary structure on the subject property is approximately 4,262 square feet. The applicant has provided a Site Plan for the accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance have been met.

**Proposed Use:**

The applicant proposes utilizing the structure for a home office, exercise and fitness room, hobby space, general household storage, pool restroom, and changing area. The structure will not be leased, sold separately, or used as a short-term rental. The applicant will be extending the water and electrical services from the primary structure to the proposed accessory structure.

**PUBLIC NOTIFICATIONS**

In accordance with Chapter 211 of the Texas Local Government Code and the City's public hearing notification requirements, 11 notices were mailed to property owners located within 200 feet of the subject property. In addition, notice of the public hearing was published in the Waxahachie Daily Light, and a sign was posted in a visible location on the subject property. At the time of publication, staff received zero (0) letters in support of the request and zero (0) letters expressing concerns regarding the Special Use Permit (SUP) request without indicating either support or opposition. Staff will update should this change.

### **RECOMMENDATION**

Based on the details provided in this report, staff recommends approval of the SUP accessory structure exceeding seven hundred (700) square request subject to the conditions below.

#### **Conditions:**

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

### **ATTACHED EXHIBITS**

1. SUP Ordinance
2. Exhibit A - Location Map
3. Exhibit B -- Site Plan
4. Exhibit C -- Elevation/Façade Plan & Floor Plan
5. Exhibit D -- Operational Plan

### **STAFF CONTACT INFORMATION**

#### ***Prepared by:***

Caleb Ensley

Planner

[ensley@waxahachietx.gov](mailto:ensley@waxahachietx.gov)

#### ***Reviewed by:***

Trenton Robertson, AICP

Director of Planning

[trobertson@waxahachietx.gov](mailto:trobertson@waxahachietx.gov)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE GREATER THAN OR EQUAL TO 700 SQUARE FEET USE WITHIN A FUTURE DEVELOPMENT (FD) ZONING DISTRICT, LOCATED AT 109 CRYSTAL COVE BEING PROPERTY ID 218977, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1R, BLOCK B OF THE CRYSTAL COVE ESTATES SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

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

**WHEREAS**, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-77-2026 Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from FD to FD, with a SUP in order to permit an Accessory Structure greater than or equal to 700 square feet use on the following property: Lot 1R, Block B of the Crystal Cove Estates subdivision, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Elevation/Façade & Floor Plan attached as Exhibit C, and the Operational Plan attached as Exhibit D.

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

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

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE GREATER THAN OR EQUAL TO 700 SQUARE FEET USE WITHIN A FUTURE DEVELOPMENT (FD) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

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

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.

(12)

2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.

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

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

**PASSED, APPROVED AND ADOPTED** on this 21<sup>st</sup> day of September, 2026.

---

MAYOR

ATTEST:

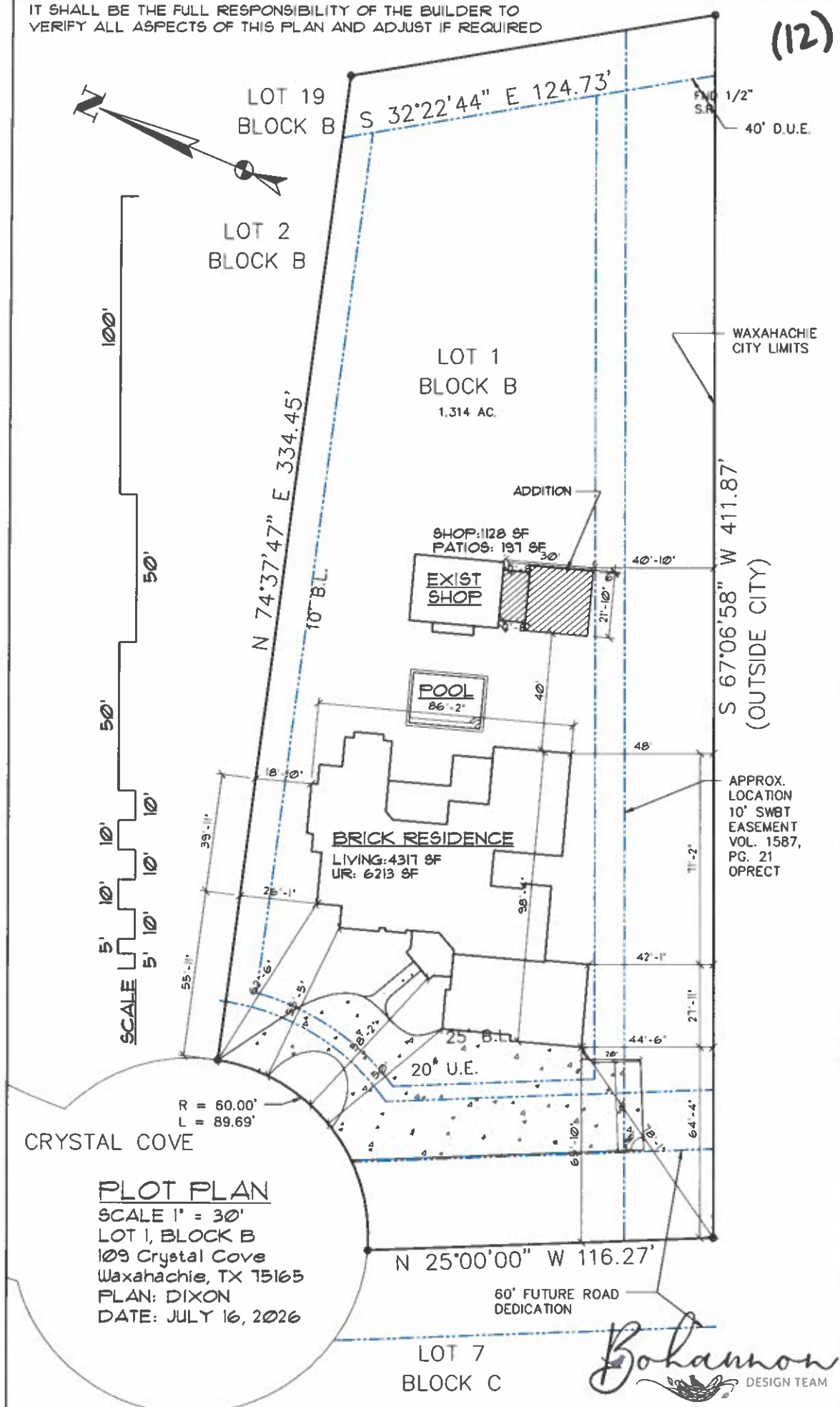
---

City Secretary

EXHIBIT A



(12)



(12)

EXHIBIT C

## GENERAL NOTES:

1. ALL NEW CONSTRUCTION, DEMOLITION, AND ALTERATIONS ARE REQUIRED TO COMPLY WITH THE MOST CURRENT VERSION OF ALL CODES, LAWS, ORDINANCES, RULES, APPOINTMENTS, AND STANDARDS OF AMERICAN DISABILITIES ACT (ADA) AS TEXAS ACCESSIBILITY STANDARDS, AND ANY OTHER REGULATIONS PER THE JURISDICTION OF APPLICABLE GOVERNING AUTHORITIES.
2. THE BUILDER SHALL CAREFULLY REVIEW AND STUDY THE CONSTRUCTION DRAWINGS AND CORRELATE WITH A CIVIL OR STRUCTURAL ENGINEER AND LICENSED MECHANICAL, ELECTRICAL, AND PLUMBING PROFESSIONAL(S) PRIOR TO THE COMMENCEMENT OF WORK.
3. BOHANNON DESIGN (BDT) SHALL BE NOTIFIED BY THE BUILDER IMMEDIATELY OF ANY DISCREPANCIES, OMISSIONS, OR INCONSISTENCIES. NO PORTION OF THE WORK, INCLUDING DEMOLITION, ORDERING OF MATERIALS, WORK CONSTRUCTION, SHALL BE PERFORMED WITHOUT THE SUBSEQUENT APPROVED SET OF CONSTRUCTION DRAWINGS, AND ANY APPLICABLE ENGINEERING, SHOP DRAWINGS, MANUFACTURER'S SPECIFICATIONS, OR SAMPLES.
4. BUILDER IS RESPONSIBLE FOR CHECKING THE QUALITY OF MATERIALS & VERIFICATION OF ALL MEASUREMENTS.
5. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING AND ADHERING TO THE MOST CURRENT RULES & POLICIES AS PROVIDED BY THE OWNER PERTAINING TO THE BUILDING & PROPOSED WORK THEREIN, INCLUDING, BUT NOT LIMITED TO BUILDING STANDARDS, CONSTRUCTION POLICIES, ETC. THE BUILDER SHALL NOTIFY BDT OF ANY DISCREPANCIES WITHIN CONSTRUCTION DRAWINGS PRIOR TO BEGINNING CONSTRUCTION.
6. THE BUILDER SHALL OBTAIN & PAY FOR ALL PERMITS & INSPECTIONS REQUIRED BY ALL GOVERNING PUBLIC AUTHORITIES IN A TIMELY MANNER.
7. THE BUILDER SHALL PROVIDE FINAL CLEANING OF ALL SPACES & SURFACES INCLUDING, BUT NOT EXCLUSIVE TO GLASS & CEILING PER OWNER AND BUILDER AGREEMENT.
8. PROVIDE CONCEALED WOOD BLOOMING IN WALLS FOR CABINETS, SHELVING, TVS, & OTHER BUILT-INS. BUILDER SHALL BE RESPONSIBLE FOR THE INTEGRITY OF SUPPORT MEMBERS.
9. MILLWORK SUB-CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR APPROVAL TO CONSTRUCTION MANAGER & BDT IN A TIMELY MANNER PRIOR TO COMMENCEMENT OF WORK.
10. WHERE TEMPERED GLASS IS USED, GLASS SHALL BE INSTALLED WITHOUT TONG MARKS OR MANUFACTURER'S LABELS EXPOSED.

## CONSTRUCTION DRAWINGS:

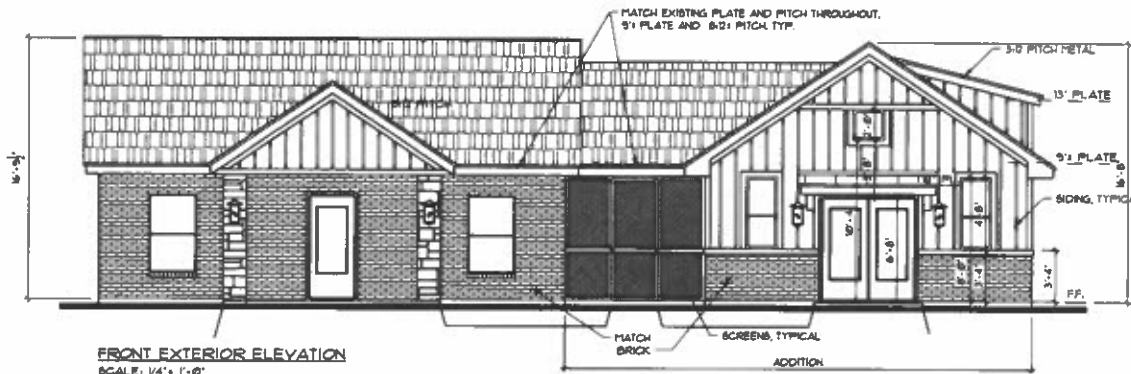
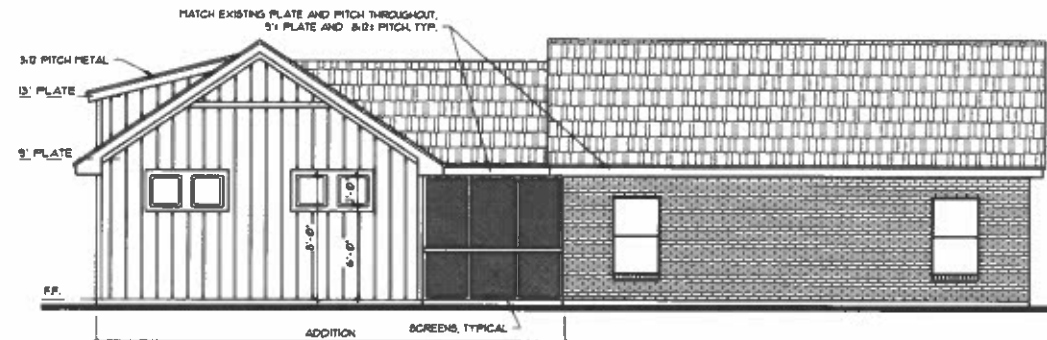
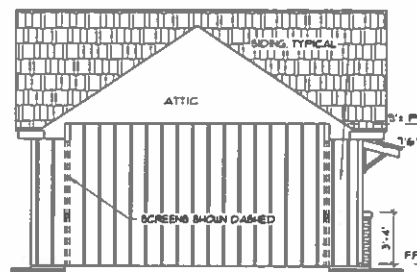
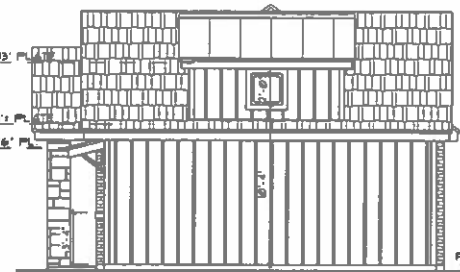
1. ALIGNMENT OF EXISTING WALLS TAKES PRECEDENCE OVER NEW DIMENSIONS, IN REVISIONS, OR ADDITION PLANS.
2. ALL DIMENSIONS ARE CENTER OF STUD TO FACE OF EXTERIOR EXCEPT WHERE NOTED OTHERWISE.
3. WHERE DIMENSIONS ARE NOTED AS "FINISH" OR "CLEAR" THE SPECIFIED DIMENSION SHALL MEET OR EXCEED SPECIFIED DIMENSION FROM FINISH FACE TO FINISH FACE & ACCOMMODATE THICKNESS OF FINISHES.
4. WHERE FIXTURES, CABINETS, OR LIKE ITEMS ARE NOT DIMENSIONED, SPACING SHALL BE CENTERED AND COMPARED WITH BUILDER OR OWNER BEFORE INSTALLATION. REFER TO INTERIOR ELEVATIONS FOR DESIGN CONCEPT.
5. THE BUILDER SHALL SEE THAT ALL SUBCONTRACTORS RECEIVE COMPLETE SETS OF MOST CURRENT WORKING DRAWINGS PRIOR TO COMMENCEMENT OF WORK.
6. REFER TO FINAL PLAN SET BEFORE ORDERING MATERIALS. ALL CHANGES TO THE CONSTRUCTION DOCUMENTS OR SCOPE OF WORK SHALL BE APPROVED BY OWNER PRIOR TO ORDERING MATERIALS & COMMENCEMENT OF WORK.

## PLAN NOTES:

1. DOORS AND WINDOWS ARE NOTED IN FEET AND INCHES.
2. DOOR AND WINDOW SIZE, TYPE, LOCATION AND QUANTITIES TO BE VERIFIED WITH PLANS AND ELEVATIONS BY BUILDER PRIOR TO ORDERING.
3. BUILDER TO VERIFY WINDOWS AND DOORS WILL MEET CURRENT CODES PRIOR TO ORDERING.

## ABBREVIATIONS:

|       |                           |       |                       |
|-------|---------------------------|-------|-----------------------|
| AF    | ABOVE FINISHED FLOOR      | INT   | INTERIOR              |
| ALT   | ALTERNATE                 | IR    | IRON                  |
| BRCA  | BRICK/CLAY                | LIN   | LINEN CABINET         |
| B-H   | BUILT-IN                  | MAN   | MANHOLE               |
| BWC   | BATHROOM CLOSET           | MICRO | MICROWAVE             |
| CAB   | CABINET                   | MISC  | MISCELLANEOUS         |
| CLD   | CEILING                   | MTD   | MOUNTED               |
| CLR   | CLEAR                     | PL    | PLATE HEIGHT          |
| CLT   | CLOSET                    | POWDR | POWDER                |
| CHU   | CONCRETE FLOORS UNIT      | RFP   | REFRIGERATOR          |
| C.O.  | CARPET OPENING            | REQD  | REQUIRED              |
| CHP   | CHIMNEY                   | RM    | ROOM                  |
| DR    | DOOR                      | SCRD  | SCREENED              |
| DRMR  | DRESSER                   | SH    | SHOWER                |
| DRMR  | DRESSING                  | SH    | SHOWER                |
| DSE   | DISH WASHER               | SHV   | SHELVING              |
| ELC   | ELECTRICAL                | SLPD  | SLOPED                |
| ELEV  | ELEVATION                 | STD   | STANDARD              |
| SG    | SIGNAL                    | SVS   | SYSTEMS               |
| EQUIP | EQUIPMENT                 | TMS   | TRANSITION            |
| EXT   | EXTERIOR                  | TYP   | TYPICAL               |
| FF    | FINISHED FLOOR            | UND   | UNDER NOTED OTHERWISE |
| FP    | FINISH PLACE              | UTL   | UTILITY               |
| FRD   | FRIDGE                    | VP    | VERIFY IN FIELD       |
| GL    | GLASS                     | W     | WALL                  |
| HB    | HOLE BIG                  | W     | WALL                  |
| HB    | HORIZONTAL BLIND          | W     | WALL                  |
| HVAC  | HEAT VENT & AIR CONDITION | W     | WALL                  |
| INFO  | INFORMATION               | W     | WALL                  |

FRONT EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"REAR EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"RIGHT SIDE SECTION/ELEVATION  
SCALE: 1/4" = 1'-0"RIGHT SIDE EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"PATIO EXTERIOR SECTION/ELEVATION  
SCALE: 1/4" = 1'-0"

NOTE: IT IS THE SOLE RESPONSIBILITY OF THE BUILDER TO VERIFY ALL ASPECTS OF THIS PLAN AND TO ENSURE THAT THIS PLAN MEETS ALL GOVERNING CODES AND REQUIREMENTS.

www.BohannonDesignTeam.com

## INDEX OF DRAWINGS:

1. EXTERIOR ELEVATIONS
2. EXISTING DEMOLITION PLAN
3. PROPOSED FLOOR PLAN, INTERIOR ELEVATIONS
4. ELECTRICAL / LIGHTING PLAN
5. ROOF PLAN AND DETAILS

These plans are the property of Bohannon Design Team. They are not to be reproduced, loaned or used in any way without the written permission of BDT. It shall be the responsibility of the user to obtain all local, state, and federal building codes, and dimensions prior to construction.

**Bohannon**  
DESIGN TEAM

FINAL PLAN



**Bohannon**  
DESIGN TEAM  
8300 STARNES RD  
STE. 1  
IRVING, TX 76182  
(817) 770-0602

SQUARE FOOTAGE

EXISTING FLEX. 6M  
FOOTAGE 4

ADDITIONAL  
SCEN. PATIO 15'  
WORKSHOP 45'  
TOTAL 120'

1/4" PRINTS HALF SCALE

DRAWN: WBS  
DATE: 5-01-26

PROPERTY ADDRESS:  
109 CRYSTAL COW  
WAXAHACHIE, TX  
75165

CLIENT:  
DIXON

PG. 1 OF 5



**Bohannon**  
DESIGN TEAM  
8300 STARNES RD  
STE.1  
NRH, TX 76182  
(817)770-0602

SQUARE FOOTAGE

|                     |
|---------------------|
| EXISTING FLEX. 4.70 |
|---------------------|

BOSCH: \_\_\_\_\_ 44

ADDITIONAL

SCORPATIO 52

WORKSHOP: 450

TOTAL 11/2 1328

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

BUT PRINTS HALF SCALE

|       |    |
|-------|----|
| DRAIN | WD |
|-------|----|

DATE 9-07-76

\_\_\_\_\_

PROPERTY ADDRESS:

1029 CRYSTAL COVER

WAXAHACHIE, TX  
75145

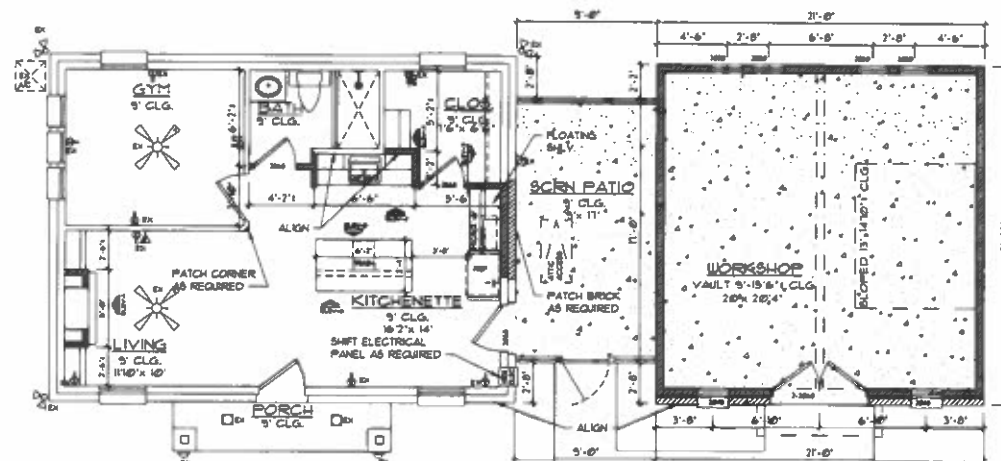
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| 12/10/20 |  |
| 12/11/20 |  |

CLIENT:

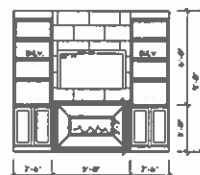
DIXON

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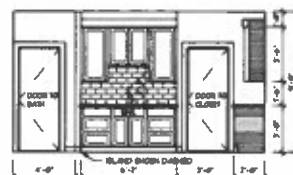
PG. 3 OF 5



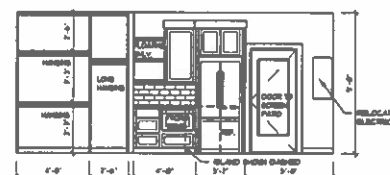
PROPOSED FLOOR PLAN  
SCALE: 1/4" = 1'-0"



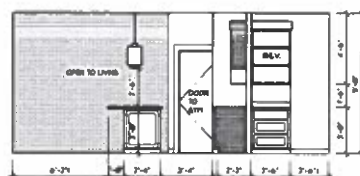
ELEVATION 1 - LIVING  
SCALE: 1/4" = 1'-0"



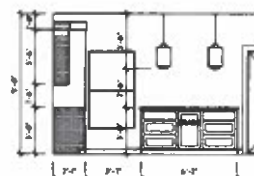
ELEVATION 2 - LIVING  
SCALE: 3/4" = 1'-0"



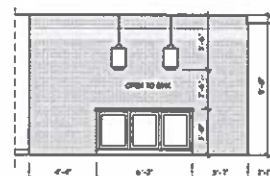
ELEVATION 3 - CLOSET & LIVING  
SCALE: 1/4" = 1'-0"



ELEVATION 4 - LIVING & CLOSET  
SCALE: 1/4" = 1'-0"



ELEVATION 5 - LIVING  
SCALE: 1/4" = 1'-0"



ELEVATION 6 - LIVING  
SCALE: 1/4" = 1'-0"

WALL LEGEND

 NEW WALL  
 EXISTING WALL  
 DEMOLITION  
 CURB CUT

**NOTE: IT IS THE SOLE RESPONSIBILITY OF THE BUILDER TO VERIFY ALL ASPECTS OF THIS PLAN AND TO ENSURE THAT THIS PLAN MEETS ALL GOVERNING CODES AND REQUIREMENTS.**

## OPERATIONAL PLAN

### Specific Use Permit (SUP) Application ZDC-77-2026

**Property Address:**

109 Crystal Cove  
Waxahachie, Texas 75165

**Property Owners:**

Howard Dixon and Susan Dixon

### Purpose of the Accessory Structure

The proposed accessory structure is intended solely for personal residential use by the property owners and their family as an accessory use to the existing primary residence. The structure is subordinate to the principal dwelling and is not intended to function as an Accessory Dwelling Unit (ADU) or an independent residence. The structure is proposed under a Specific Use Permit for an accessory structure exceeding 700 square feet.

### Intended Uses

- Home office
- Exercise and fitness room
- Hobby and craft activities
- Household storage
- Family recreation
- Pool restroom and changing area
- Refreshment area for family members and guests

### Occupancy

The accessory structure will not be used as living quarters. No individual will permanently or temporarily reside in the structure. Overnight accommodations are not intended. The structure will not be leased, rented, or used as an Airbnb, VRBO, guest house, or other short-term rental. No separate mailing address will be established.

### Kitchenette

The refreshment area is for convenience only and includes a sink, countertop, microwave, and small refrigerator. There will be no stove, oven, cooktop, dishwasher, or other full kitchen appliances.

### Utilities

The accessory structure will remain connected to and served by the primary residence. There will be no separate electrical meter, water meter, sewer service, gas service, or utility accounts. All utilities will remain under the primary residence and will not be separately metered.

### Commercial Use

The accessory structure will not be used for retail sales, an office open to the public, customer visits, daycare, manufacturing, repair services, or any other commercial enterprise. It will be used solely for residential accessory purposes.

### Compliance Statement

(12)

The proposed accessory structure will remain subordinate to the primary residence and will comply with all applicable City of Waxahachie zoning and building regulations. Any future change in use will require review and approval by the City of Waxahachie and compliance with applicable zoning ordinances. We respectfully submit this Operational Plan in support of Specific Use Permit Application ZDC-77-2026 and affirm that the proposed accessory structure is intended solely for accessory residential use and is not an accessory dwelling unit or commercial facility.

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-54-2026

(13)



### MEETING DATE(S)

Planning & Zoning Commission:

August 25, 2026

City Council:

September 21, 2026

### CAPTION

**Public Hearing** on a request by Patrick McGee, HighPark Capital, LLC for a **Zoning Change** from a Commercial Zoning District to a **Planned Development-Multi-Family-2 (PD-MF-2)** zoning district, located at 1761 N US Highway 77 (Property ID 186874) – Owner(s): Ferris Avenue Baptist Church DBA The Avenue (ZDC-54-2026)

### RECOMMENDED MOTION

*"I move to approve ZDC-54-2026, a Zoning Change request from a Commercial Zoning District to a Planned Development-Multi-Family-2 (PD-MF-2), subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."*

### ACTION SINCE INITIAL STAFF REPORT

*At the Planning & Zoning Commission meeting held on August 25, 2026, the Commission voted 5-0 to recommend approval of case number ZDC-54-2026, subject to the conditions of the staff report.*

### APPLICANT REQUEST

The Applicant requests to rezone the subject property to allow for the development of The Avenue Apartments, a multi-family development comprised of 314 apartment units.

### CASE INFORMATION

|                           |                                              |
|---------------------------|----------------------------------------------|
| <i>Applicant:</i>         | Patrick McGee, HighPark Capital, LLC         |
| <i>Property Owner(s):</i> | Ferris Avenue Baptist Church DBA The Avenue  |
| <i>Site Acreage:</i>      | 12.642 acres                                 |
| <i>Current Zoning:</i>    | Commercial (C)                               |
| <i>Requested Zoning:</i>  | Planned Development-Multi-Family-2 (PD-MF-2) |

### SUBJECT PROPERTY

|                             |                                               |
|-----------------------------|-----------------------------------------------|
| <i>General Location:</i>    | 1761 N US Highway 77                          |
| <i>Parcel ID Number(s):</i> | 186874                                        |
| <i>Existing Use:</i>        | The subject property is currently undeveloped |
| <i>Development History:</i> | The subject property is not currently platted |

**Adjoining Zoning & Uses:**

| Direction | Zoning  | Current Use    |
|-----------|---------|----------------|
| North     | LI-1    | Vacant         |
| East      | C       | Church         |
| South     | PD-NS/O | Retail         |
| West      | C       | Medical Office |

**Future Land Use Plan:**

Urban Village

**Comprehensive Plan:**

An urban village is intended to be a bustling center of activity with active streets and a focus on the pedestrian. Filled with high-yield development, it is also one of the most fiscally resilient placetypes and in the right proportion can subsidize low-value development patterns. Streets are narrow with on-street parking making the streetscape comfortable for people who inhabit and patronize the homes and businesses here. When uses which require large amounts of parking are built, parking is hidden with continuous building frontage.

**Throughfare Plan:**

The primary access to the subject property will be from YMCA Drive and Market Place Blvd

**Site Aerial:****PLANNING ANALYSIS**

The Applicant proposes to rezone the subject property to allow for the development of three (3) four-story multi-family buildings consisting of a total of 314 apartment units. The units range from 196 one-bedroom units & 118 two-bedroom units with a gross density of 24.84 units per acre. It should be clearly understood that all three proposed buildings will be located on one single platted lot, and the applicant intends to lease each individual unit. Despite the current zoning of Commercial (C), which does not allow multi-family developments by right, the future land use plan Placetype of "Urban Village" of the 2023 Waxahachie Comprehensive Plan is consistent with this specific type of residential development recommended for this area as it is centered around walkability and is pedestrian focused.

**Proposed Use & Site Design:**

The applicant has provided a Site Plan for the subject property, which is designed for a total of three (3) four-story multi-family buildings, fully enclosed attached & detached parking garages, carports, a trail connection, and other associated amenities. The site plan is proposed to be developed in seven (7) phases, as shown in the Phasing Plan (Exhibit G) consistent with the applicant's Development Standards (Exhibit E). The specific sequencing of the proposal is as follows:

- Phase 1 – Clubhouse, entry drive, dog park, trash compactor, and adjacent fire lanes.
- Phase 2 – North section of Building 1-A, pool and amenity courtyard, adjacent fire lanes, Carports C1 & C2, and Detached Garages G1 and G2.
- Phase 3 – South section of Building 1-A, rear and side fire lanes, Carports C11 and C12, and Detached Garages G8 & G9.
- Phase 4 – Fire lanes north of Building 1-A and Detached Garages G3 & G4.
- Phase 5 – Building C-3, pickleball court, adjacent fire lanes, and Carports C3 & C5.
- Phase 6 – North section of Building 2-B, adjacent fire lanes, putting green courtyard, Carports C4, C6, C7, & C8, and Detached Garage G5.
- Phase 7 – South section of Building 2-B, adjacent fire lanes, exit drive and turnaround for the proposed YMCA Drive Extension, Carports C9 & C10, and Detached Garages G6 & G7.

*Staff note: engineering design standards and fire codes are not waived by any adopted PD.*

All three proposed structures will be located on one (1) platted lot and are not proposed to be individually platted. Access has been designed to account for future right-of-way dedication adjacent to the southern and eastern side of the property. The site has also been generally designed to meet the minimum setback requirements of the Multi-Family-2 (MF-2) zoning district; which is the base zoning for this Planned Development request. However, the applicant is requesting to deviate from the base zoning requirement to allow for a 25' rear setback instead of a 75' for this development. Dumpsters will be properly screened and landscaping has been spaced throughout the proposed development, as required by the Waxahachie Zoning Ordinance. In addition to the proposed trail connection, the applicant is proposing to install a 5' wide concrete pedestrian sidewalks throughout the property and along all three main structures to encourage walkability from all areas of the subject property.

The Site Plan has also been designed to account for future right-of-way (ROW) dedication for an extension of YMCA Drive & Marketplace Boulevard, each of which will be 60' wide.

**PROPOSED PD DEVELOPMENT STANDARDS**

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

| <u><b>Standard</b></u>        | <u><b>Base MF-2</b></u>            | <u><b>Proposed PD</b></u>                 |
|-------------------------------|------------------------------------|-------------------------------------------|
| Height                        | 3 stories for the main building(s) | <b>4 stories for the main building(s)</b> |
| Dwelling Units Per Acre (DUA) | 18 DUA                             | <b>24.84 DUA</b>                          |
| Maximum Height                | 3 stories                          | <b>4 stories</b>                          |
| Minimum Dwelling Size         | 800 SF (3-bedroom units)           | <b>800 SF (1-2-bedroom units)</b>         |
| Minimum Utility Easement      | 15'                                | 15'                                       |

|                            |                                                                                                                                  |                                                                                                                                                                                    |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Minimum Front Yard Setback | 25' up to 100'                                                                                                                   | 25'                                                                                                                                                                                |
| Minimum Side Yard Setback  | 25' up to 100'                                                                                                                   | 25'                                                                                                                                                                                |
| Minimum Rear Yard Setback  | 75'                                                                                                                              | 25'                                                                                                                                                                                |
| Parking Regulations        | Minimum of 1.5 for 1-2-bedroom units and 2.5 for 3+ bedroom units. (12 spaces total with a minimum of 5 attached garage spaces.) | <b>Minimum of one and-a-half (1.5) off-street parking spaces per unit (covered or uncovered) with a minimum of 72 carports, 72 detached garages, and 23 attached garage spaces</b> |
| Screening                  | 6' masonry wall directly adjacent to Single Family and Non-Residential zoning districts.                                         | 6' masonry wall directly adjacent to Single Family and Non-Residential zoning districts.                                                                                           |

**Parking:**

The applicant proposed to exceed the minimum parking requirement for the total amount of spaces for this proposal. A total of 471 parking spaces are required for the development based on the unit count, of which a minimum of 236 spaces are required to be provided as an attached garage parking space. The proposal includes a total of 472 parking spaces; which are comprised of 72 detached garages, 23 attached garage spaces, 72 carport spaces, and 305 surface spaces; with an overall percentage total of 35% covered parking. This is a deviation from the base zoning of MF-2, and this deviation is part of the applicant's overall Planned Development request.

| <b><u>Categories</u></b>                                                                              | <b><u>Base MF-2 Minimum Required Parking</u></b> | <b><u>Provided Parking</u></b> |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------|
| Total Parking                                                                                         | 471                                              | 472                            |
| One-half of the minimum required parking shall be provided in attached fully enclosed parking garages | 235.5 (50%)                                      | 23 (5%)                        |
| Detached Garage Spaces                                                                                | N/A                                              | 72 (15%)                       |
| Covered Carports                                                                                      | N/A                                              | 72 (15%)                       |
| Surface Spaces                                                                                        | 235.5 (50%)                                      | 305 (65%)                      |

**Elevation/Façade Plan:**

The applicant has provided an Elevation/Façade Plan (Exhibit B) for the proposed development. The primary exterior construction materials proposed for this development feature a combination of brick, stone, stucco, and fiber cement siding. All three (3) proposed buildings will feature the same overall design, including color scheme. The proposed structures will feature a flat roof design with a TPO membrane, which provides a more modern residential aesthetic that is not uncommon amongst many new multi-developments throughout the region. The building roof itself shall be screened by the parapet walls as shown in the Exhibit B. However, not all three buildings are configured uniformly, as building(s) 1-A & 2-B are "u-shaped" with each ranging from 38,358-38,707 square feet in total floor area. Whereas building 3-C is a general mid-rise structure that is 24,079 square feet in floor area. All proposed structures meet the minimum articulation and design element requirements of the Waxahachie Zoning Ordinance. Exhibit B, along with the image(s) below, can be referenced for additional detail regarding the proposed elevations.

(13)



#### Access & Traffic:

The applicant is proposing two (2) points of access for the proposed development. One (1) point of access will be from a YMCA drive extension and two (2) from a proposed Marketplace Boulevard extension, both of which are to be public streets. Both of these points of access will be dedicated via a plat for the subject property. The proposed development also contains a form of access control, which includes a gated primary entry with a call box system. Additionally, the applicant is proposing a walking-trail connection to the YMCA trail to encourage walkability. This trail connection would contain two (2) pedestrian access gates that are each accessible via a 5' concrete sidewalk inside the subject property. This connection will provide an access point into an offsite trail network which encourages walkability to the surrounding community.

#### Landscaping:

The applicant has provided a Landscape Plan (Exhibit D) that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. Per the Development Standards provided by the applicant, the property owner shall provide a permanent irrigation system for all required landscape areas and shall maintain the required landscaping at all times.

#### Amenities & Open Space:

The applicant proposes to incorporate resident amenities and open space throughout the proposed development, as required by Section 5.05 of the Waxahachie Zoning Ordinance; which requires a minimum of four (4) amenities for each phase of the development. Specific amenities include a clubhouse, fitness center, recovery spa with a sauna and cold plunge, community room with demo kitchen, resident co-working space, resort-style swimming pool with cabana, walking trail connecting to existing area trail network, pickleball court, putting green, biergarten/al fresco dining area, pavilion, cornhole and lawn games area, dog park with separate small and large dog sections, 44 private pet yards, and BBQ grills and outdoor cooking stations. The locations and further details of the proposed amenities are shown in Exhibit D below.

#### Screening:

The applicant is not proposing a screening wall at this time as the adjacent property if commercial will be required to install the screening wall at that time. All dumpster enclosures will be screened from public view with a masonry screening wall and metal gates, which will be consistent with the City of Waxahachie's Zoning Ordinance.

#### Signage:

Signage for the proposed project will adhere to the signage requirements set forth in Section 5.08 of the Waxahachie Zoning Ordinance.

#### Lighting:

The applicant has provided a Photometric Plan (attached as Exhibit F) for the proposed development that demonstrates compliance with the Waxahachie Lighting & Glare Standards. All light fixtures are proposed to be shielded and directed downwards to eliminate light trespass and glare onto adjacent residential property. All proposed light fixtures are restricted to a maximum height of 20'.

**Additional Variance Requests**

In addition to the *Proposed PD Development Standards*, per the applicant's development standards, in lieu of locating all units within 250 feet of a refuse facility; a valet trash service is being proposed as it will provide a trash collection service for each unit. Collection will occur multiple days per week on a consistent schedule, and trash will be consolidated in a single trash compactor on site. This trash compact will be screened on three sides in accordance with the City of Waxahachie's Zoning Ordinance.

**PUBLIC NOTIFICATIONS**

In accordance with Chapter 211 of the Texas Local Government Code and the City's public hearing notification requirements, 31 notices were mailed to property owners located within 200 feet of the subject property. In addition, notice of the public hearing was published in the Waxahachie Sun, and a sign was posted in a visible location on the subject property. At the time of publication, staff received zero (0) letters in support of the request and zero (0) letter expressing concerns regarding the Planned Development (PD) request without indicating either support or opposition. Staff will update should this change.

**RECOMMENDATION**

Based on the information provided in this Staff Report and the materials submitted in support of the request, the Planning Department recommends approval of the Planned Development request, subject to the conditions listed below.

**Conditions:**

1. A mutually agreed upon Development Agreement requiring adherence to the proposed Planned Development shall be executed between the property owners & the City within 30-days of zoning approval.
2. The property is required to be platted for the issuance of subsequent building permits.
3. All materials, locations of materials, and percentage of materials for the building(s) shall be consistent with the Elevation/Façade Plan (Exhibit B).
4. The owner shall provide a permanent irrigation system for all required landscape areas shown Exhibit D – Landscape Plan and maintain the required landscaping at all times.
5. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.

**ATTACHED EXHIBITS**

1. Development Agreement/PD Ordinance
2. Exhibit A – Location Map
3. Exhibit B – Elevation/Façade Plan
4. Exhibit C – Site Plan
5. Exhibit D – Landscape Plan
6. Exhibit E – Development Standards
7. Exhibit F – Photometric Plan
8. Exhibit G – Phasing Plan
9. Exhibit H -- Preliminary Utility Plan

**STAFF CONTACT INFORMATION*****Prepared by:***

Caleb Ensley

Planner

[censley@waxahachietx.gov](mailto:censley@waxahachietx.gov)***Reviewed by:***

Trenton Robertson, AICP

Director of Planning

[trobertson@waxahachietx.gov](mailto:trobertson@waxahachietx.gov)

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

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM A COMMERCIAL (C) ZONING DISTRICT TO A PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF-2) LOCATED AT 1761 NORTH US HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 16.642 ACRES KNOWN AS PROPERTY ID 186874 AND PROVIDING FOR SPECIAL CONDITIONS AND RESTRICTIONS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE NOT TO EXCEED \$2,000 FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THE CHANGING OF THE CITY'S OFFICIAL ZONING MAP.**

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

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

**WHEREAS**, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-54-2026. 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 C to PD-MF-2; and

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

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

**NOW, THEREFORE**, this property is rezoned from C to PD-MF-2 in order to facilitate development of the subject property in a manner that allows 314 multi-family units on the following property: Property ID 186874, which is shown on Exhibit A, in accordance with the Elevation/Façade Plan attached as Exhibit B, the Site Plan attached as Exhibit C, the Landscape Plan attached as Exhibit D, the Development Standards attached as Exhibit E, the Photometric Plan attached as Exhibit F, the Phasing Plan attached as Exhibit G, and the Preliminary Utility Plan attached as Exhibit H.

**SECTION 1.****PLANNED DEVELOPMENT****Purpose and Intent**

The purpose of this planned development is to allow for the development of 314 multi-family units, and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

**SECTION 2.****Development Standards**

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

**Development Regulations**

1. A mutually agreed upon Development Agreement shall be required for the property.
2. The development shall conform as approved by the City Council under case number ZDC-54-2026.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Elevation/Façade Plan, Exhibit C – Site Plan, Exhibit D – Landscape Plan, Exhibit E – Development Standards, Exhibit F – Photometric Plan, Exhibit G – Phasing Plan, and Exhibit H – Preliminary Utility Plan
4. The property shall be platted prior to the issuance of a building permit.
5. All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevation/Façade Plan (Exhibit B).
6. The owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D - Landscape Plan and maintain the required landscaping at all times.
7. The Owner shall conduct a fire flow test and engineering analysis in the area around the subject property to demonstrate the presence of a minimum fire flow and domestic flow that is acceptable to the Director of Utilities. This fire flow test and engineering analysis as required by the City Engineer, are required to be conducted prior to platting of the property.
8. No plat, site plan, or building permit shall be approved or issued until a mutually agreed upon Development Agreement has been fully executed by the Owner/Developer. Failure to execute said agreement within ninety (90) days shall render this approval subject to City Council initiation of rezoning proceedings.

9. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
10. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

### **SECTION 3. CONFLICTS CLAUSE.**

To the extent of any irreconcilable conflict between the provisions of this Ordinance and other ordinances of the City of Waxahachie governing the use and development of the Property that are not expressly amended by this Ordinance, the provisions of this Ordinance shall control.

### **SECTION 4. SEVERABILITY CLAUSE.**

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the City of Waxahachie Zoning Ordinance as amended hereby, be adjudged or held to be void, illegal, or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of the remaining portions of this Ordinance or the City of Waxahachie Zoning Ordinance, which shall remain in full force and effect.

### **SECTION 5. SAVINGS CLAUSE.**

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the City of Waxahachie Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

### **SECTION 6. PENALTY.**

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

### **SECTION 7. EFFECTIVE DATE.**

This Ordinance shall become effective from and after the date of its passage and final publication in accordance with the Charter of the City of Waxahachie and/or applicable state law and it is accordingly so ordained.

**PASSED, APPROVED AND ADOPTED** on this 21<sup>st</sup> day of September, 2026.

(14)

---

MAYOR

ATTEST:

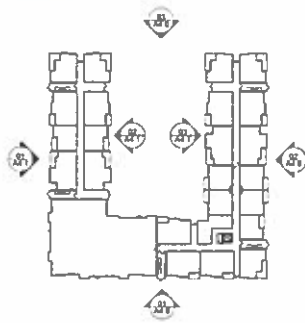
---

City Secretary

(14)

EXHIBIT A





04 ELEVATION KEY PLAN  
SCALE: 1/8" = 1'-0"



|                           |                  |       |
|---------------------------|------------------|-------|
| RIGHT ELEVATION MATERIALS |                  |       |
| FIBER CEMENT SIDING       | 2,582 FS SQ. FT. | 21.6% |
| STUCCO                    | 2,700 FS SQ. FT. | 23.0% |
| STONE & BRICK             | 2,000 FS SQ. FT. | 17.2% |
| TOTAL                     | 7,282 FS SQ. FT. | 61.8% |

03 BUILDING 'A' REAR ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 1



|                           |                  |       |
|---------------------------|------------------|-------|
| RIGHT ELEVATION MATERIALS |                  |       |
| FIBER CEMENT SIDING       | 2,582 FS SQ. FT. | 21.6% |
| STUCCO                    | 2,700 FS SQ. FT. | 23.0% |
| STONE & BRICK             | 2,000 FS SQ. FT. | 17.2% |
| TOTAL                     | 7,282 FS SQ. FT. | 61.8% |

02 BUILDING 'A' RIGHT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 1



|                           |                  |       |
|---------------------------|------------------|-------|
| RIGHT ELEVATION MATERIALS |                  |       |
| FIBER CEMENT SIDING       | 2,582 FS SQ. FT. | 21.6% |
| STUCCO                    | 2,700 FS SQ. FT. | 23.0% |
| STONE & BRICK             | 2,000 FS SQ. FT. | 17.2% |
| TOTAL                     | 7,282 FS SQ. FT. | 61.8% |

01 BUILDING 'A' FRONT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 1

06.12.2026

PRELIMINARY  
DRAWINGS

Cross  
ARCHITECTS

ARCHITECT  
CROSS ARCHITECTS, PLLC  
10000 CROSSWAY  
ALLEN, TEXAS 75013  
P: 972.398.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHIE, TEXAS

DATE  
06.12.2026

PROJECT NUMBER  
25087

REVISIONS

NO. DATE

DESIGNED BY

REVIEW

DATE: 11/11/2024

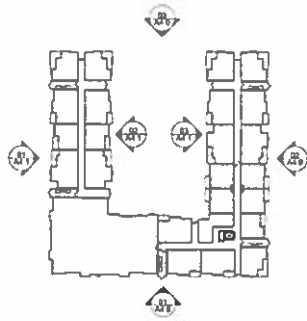
A4.0

BUILDING 'A' ELEVATIONS

DATE: 06/12/2026

# EXHIBIT B

(14)



04 ELEVATION KEY PLAN  
SCALE: 1/8" = 1'-0"

FLAT TPO ROOF  
STUCCO TRIM BAND  
DECORATIVE  
BRICK/ST  
PARAPET WALL WITH  
FLAT TPO ROOF BEYOND  
STUCCO  
STUCCO TRIM  
STUCCO  
WATERTABLE  
NATURAL STONE  
STUCCO HEADER  
STUCCO TRIM  
FIBER CEMENT NT  
LAP SIDING  
FIBER CEMENT NT TRIM  
SMOOTH FIBER  
CEMENT BOARD  
METAL RAILING  
BRICK WATERTABLE  
METAL RAILING  
BRICK HILDAIR  
BRICK  
BRICK GILL



LEFT COURTYARD ELEVATION MATERIALS  
FIBER CEMENT BOARD  
STUCCO  
STONE & BRICK  
TOTAL

03 BUILDING 'A' LEFT COURTYARD ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 1

STUCCO TRIM BAND  
PARAPET WALL WITH  
FLAT TPO ROOF BEYOND  
DECORATIVE  
BRICK/ST  
STUCCO  
STUCCO TRIM  
STUCCO  
WATERTABLE  
NATURAL STONE  
STUCCO HEADER  
STUCCO TRIM  
FIBER CEMENT  
LAP SIDING  
FIBER CEMENT TRIM  
METAL RAILING  
BRICK WATERTABLE  
BRICK  
BRICK GILL



RIGHT COURTYARD ELEVATION MATERIALS  
FIBER CEMENT BOARD  
STUCCO  
STONE & BRICK  
TOTAL

02 BUILDING 'A' RIGHT COURTYARD ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 1

FLAT TPO ROOF  
STUCCO TRIM BAND  
DECORATIVE  
BRICK/ST  
PARAPET WALL WITH  
FLAT TPO ROOF BEYOND  
STUCCO  
STUCCO TRIM  
STUCCO  
WATERTABLE  
NATURAL STONE  
STUCCO HEADER  
STUCCO TRIM  
FIBER CEMENT  
LAP SIDING  
FIBER CEMENT TRIM  
SMOOTH FIBER  
CEMENT BOARD  
METAL RAILING  
BRICK WATERTABLE  
METAL RAILING  
BRICK HILDAIR  
BRICK  
BRICK GILL



LEFT ELEVATION MATERIALS  
FIBER CEMENT BOARD  
STUCCO  
STONE & BRICK  
TOTAL

01 BUILDING 'A' LEFT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 1

06.12.2026

PRELIMINARY  
DRAWINGS

Cross  
ARCHITECTS

ARCHITECT:  
CROSS ARCHITECTS, PLLC  
10000 CROSS DRIVE  
AUSTIN, TX 78753  
P: 972.388.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHIE, TEXAS

DATE: 06.12.2026

PROJECT NUMBER  
25097

REVISIONS

NO. DATE

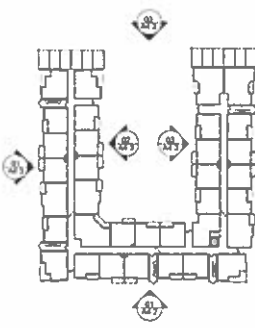
REVIEW

SHEET NUMBER

A4.1

BUILDING 'A'  
ELEVATIONS

CROSS ARCHITECTS © 2020



04 ELEVATION KEY PLAN  
SCALE: 1/8" = 1'-0"



Material Schedule for Building 'B' Rear Elevation

|                           |                  |       |
|---------------------------|------------------|-------|
| FLAT TPO ROOF             | 1,110.00 SQ. FT. | 10.0% |
| STUCCO TRIM BAND          | 1,110.00 SQ. FT. | 10.0% |
| STUCCO                    | 1,110.00 SQ. FT. | 10.0% |
| STUCCO TRIM               | 1,110.00 SQ. FT. | 10.0% |
| STUCCO WATERTABLE         | 1,110.00 SQ. FT. | 10.0% |
| NATURAL STONE             | 1,110.00 SQ. FT. | 10.0% |
| FIBER CEMENT LAP SIDING   | 1,110.00 SQ. FT. | 10.0% |
| FIBER CEMENT TRIM         | 1,110.00 SQ. FT. | 10.0% |
| METAL RAILING             | 1,110.00 SQ. FT. | 10.0% |
| SMOOTH FIBER CEMENT BOARD | 1,110.00 SQ. FT. | 10.0% |
| BRICK                     | 1,110.00 SQ. FT. | 10.0% |
| METAL RAILING             | 1,110.00 SQ. FT. | 10.0% |
| BRICK HEADR               | 1,110.00 SQ. FT. | 10.0% |
| BRICK SILL                | 1,110.00 SQ. FT. | 10.0% |

03 BUILDING 'B' REAR ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 2



Material Schedule for Building 'B' Right Elevation

|                           |                  |       |
|---------------------------|------------------|-------|
| FLAT TPO ROOF             | 1,110.00 SQ. FT. | 10.0% |
| STUCCO TRIM BAND          | 1,110.00 SQ. FT. | 10.0% |
| STUCCO                    | 1,110.00 SQ. FT. | 10.0% |
| STUCCO TRIM               | 1,110.00 SQ. FT. | 10.0% |
| STUCCO WATERTABLE         | 1,110.00 SQ. FT. | 10.0% |
| NATURAL STONE             | 1,110.00 SQ. FT. | 10.0% |
| FIBER CEMENT LAP SIDING   | 1,110.00 SQ. FT. | 10.0% |
| FIBER CEMENT TRIM         | 1,110.00 SQ. FT. | 10.0% |
| METAL RAILING             | 1,110.00 SQ. FT. | 10.0% |
| SMOOTH FIBER CEMENT BOARD | 1,110.00 SQ. FT. | 10.0% |
| BRICK                     | 1,110.00 SQ. FT. | 10.0% |
| METAL RAILING             | 1,110.00 SQ. FT. | 10.0% |
| BRICK HEADR               | 1,110.00 SQ. FT. | 10.0% |
| BRICK SILL                | 1,110.00 SQ. FT. | 10.0% |

02 BUILDING 'B' RIGHT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 2



Material Schedule for Building 'B' Front Elevation

|                           |                  |       |
|---------------------------|------------------|-------|
| FLAT TPO ROOF             | 1,110.00 SQ. FT. | 10.0% |
| STUCCO TRIM BAND          | 1,110.00 SQ. FT. | 10.0% |
| STUCCO                    | 1,110.00 SQ. FT. | 10.0% |
| STUCCO TRIM               | 1,110.00 SQ. FT. | 10.0% |
| STUCCO WATERTABLE         | 1,110.00 SQ. FT. | 10.0% |
| NATURAL STONE             | 1,110.00 SQ. FT. | 10.0% |
| FIBER CEMENT LAP SIDING   | 1,110.00 SQ. FT. | 10.0% |
| FIBER CEMENT TRIM         | 1,110.00 SQ. FT. | 10.0% |
| METAL RAILING             | 1,110.00 SQ. FT. | 10.0% |
| SMOOTH FIBER CEMENT BOARD | 1,110.00 SQ. FT. | 10.0% |
| BRICK                     | 1,110.00 SQ. FT. | 10.0% |
| METAL RAILING             | 1,110.00 SQ. FT. | 10.0% |
| BRICK HEADR               | 1,110.00 SQ. FT. | 10.0% |
| BRICK SILL                | 1,110.00 SQ. FT. | 10.0% |

01 BUILDING 'B' FRONT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 2

06.12.2026

PRELIMINARY DRAWINGS

Cross

ARCHITECT: CROSS ARCHITECTS, PLLC  
820 WEST 10TH STREET  
ALLEN, TEXAS 75013  
P: 972.396.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHIE, TEXAS

06.12.2026

PROJECT NUMBER  
25007

REVISIONS

DATE

06.12.2026

REVIEW

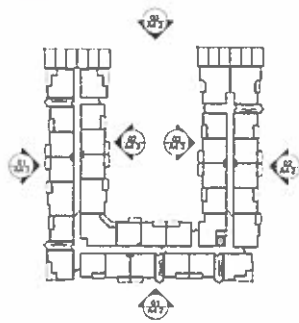
DATE

A4.2

BUILDING 'B' ELEVATIONS

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(14)



04 ELEVATION KEY PLAN  
SCALE: 1/8" = 1'-0"

FLAT TPO ROOF  
STUCCO TRIM BAND  
DECOMATIVE  
BRACKETS  
PARAMET WALL WITH  
FLAT TPO ROOF BEYOND  
STUCCO  
STUCCO TRIM  
STUCCO  
WATERTABLE  
NATURAL STONE  
STUCCO-HEADER  
STUCCO TRIM  
FIBER CEMENT TRIM  
LAP SIDING  
SMOOTH FIBER  
CEMENT BOARD  
METAL RAILING  
STANDING BEAM  
METAL ROOF  
METAL AIRING  
BRICK-HEADER  
BRICK WATERTABLE  
BRICK  
BRICK SILL



LEFT COURTYARD ELEVATION  
FIBER CEMENT BOARD 100' X 100' FT 100%  
STUCCO 100' X 100' FT 100%  
STUCCO & BRICK 100' X 100' FT 100%  
TOTAL 100' X 100' FT 100%

03 BUILDING 'B' LEFT COURTYARD ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 2

FLAT TPO ROOF  
STUCCO TRIM BAND  
PARAMET WALL WITH  
FLAT TPO ROOF BEYOND  
DECOMATIVE  
BRACKETS  
STUCCO  
STUCCO TRIM  
STUCCO  
WATERTABLE  
NATURAL STONE  
STUCCO-HEADER  
STUCCO TRIM  
FIBER CEMENT TRIM  
LAP SIDING  
SMOOTH FIBER  
CEMENT BOARD  
METAL RAILING  
STANDING BEAM  
METAL ROOF  
METAL AIRING  
BRICK-HEADER  
BRICK WATERTABLE  
BRICK  
BRICK SILL



RIGHT COURTYARD ELEVATION  
FIBER CEMENT BOARD 100' X 100' FT 100%  
STUCCO 100' X 100' FT 100%  
STUCCO & BRICK 100' X 100' FT 100%  
TOTAL 100' X 100' FT 100%

02 BUILDING 'B' RIGHT COURTYARD ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 2

FLAT TPO ROOF  
STUCCO TRIM BAND  
DECOMATIVE  
BRACKETS  
PARAMET WALL WITH  
FLAT TPO ROOF BEYOND  
STUCCO  
STUCCO TRIM  
STUCCO  
WATERTABLE  
NATURAL STONE  
STUCCO-HEADER  
STUCCO TRIM  
FIBER CEMENT TRIM  
LAP SIDING  
SMOOTH FIBER  
CEMENT BOARD  
METAL RAILING  
STANDING BEAM  
METAL ROOF  
METAL AIRING  
BRICK-HEADER  
BRICK WATERTABLE  
BRICK  
BRICK SILL



LEFT ELEVATION  
FIBER CEMENT BOARD 100' X 100' FT 100%  
STUCCO 100' X 100' FT 100%  
STUCCO & BRICK 100' X 100' FT 100%  
TOTAL 100' X 100' FT 100%

01 BUILDING 'B' LEFT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 2

06.12.2026

PRELIMINARY  
DRAWINGS

Cross  
ARCHITECTS

ARCHITECT:  
CROSS ARCHITECTS, PLLC  
875 JUNCTION DRIVE  
SUITE 200  
DALLAS, TEXAS 75201  
P: 972.398.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHE, TEXAS

DATE  
06.12.2026

PROJECT NUMBER  
25007

REVISIONS

NO. DATE

REVIEW

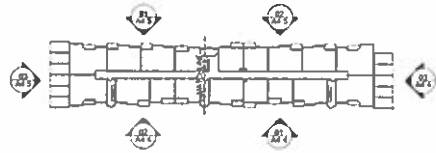
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BUILDING 'B'  
ELEVATIONS

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04 ELEVATION KEY PLAN  
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION MATERIALS

|                                         |                 |         |
|-----------------------------------------|-----------------|---------|
| FLAT TPO ROOF                           | 61' 00" 00" FT  | 21.12%  |
| STUCCO TRIM BAND                        | 43' 00" 00" FT  | 14.00%  |
| PASADENA WALL WITH FLAT TPO ROOF BEYOND | 25' 00" 00" FT  | 8.00%   |
| STUCCO                                  | 8' 00" 00" FT   | 2.67%   |
| FIBER CEMENT LAP SIDING                 | 1' 00" 00" FT   | 0.33%   |
| 2" BRICK                                | 1' 00" 00" FT   | 0.33%   |
| TOTAL                                   | 100' 00" 00" FT | 100.00% |

03 BUILDING 'C' RIGHT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 3

FLAT TPO ROOF  
STUCCO TRIM BAND  
PASADENA WALL WITH FLAT TPO ROOF BEYOND  
STUCCO  
STUCCO TRIM  
STUCCO  
WATERTABLE  
NATURAL STONE  
STUCCO HEADER  
STUCCO TRIM  
FIBER CEMENT LAP SIDING  
FIBER CEMENT TRIM  
SMOOTH FIBER CEMENT BOARD  
METAL RAILING  
STANDING SEAM METAL ROOF  
METAL RAILING  
BRICK HEADER  
BRICK WATERTABLE  
BRICK  
BRICK BILL

FRONT ELEVATION MATERIALS

|               |                 |         |
|---------------|-----------------|---------|
| FLAT TPO ROOF | 1' 00" 00" FT   | 21.12%  |
| STUCCO        | 43' 00" 00" FT  | 14.00%  |
| STONE & BRICK | 25' 00" 00" FT  | 8.00%   |
| TOTAL         | 100' 00" 00" FT | 100.00% |

02 BUILDING 'C' FRONT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 3



FRONT ELEVATION MATERIALS

|               |                 |         |
|---------------|-----------------|---------|
| FLAT TPO ROOF | 1' 00" 00" FT   | 21.12%  |
| STUCCO        | 43' 00" 00" FT  | 14.00%  |
| STONE & BRICK | 25' 00" 00" FT  | 8.00%   |
| TOTAL         | 100' 00" 00" FT | 100.00% |

01 BUILDING 'C' FRONT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 3

06.12.2026

PRELIMINARY  
DRAWINGSCross  
ARCHITECTS, PLLC

ARCHITECT:  
CROSS ARCHITECTS, PLLC  
10000 ALLEN ROAD  
ALLEN, TEXAS 75013  
P: 972.398.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHIE, TEXAS

DATE  
06.12.2026PROJECT NUMBER  
25087

REVISIONS

NO. DATE

ISSUED FOR

REVIEW

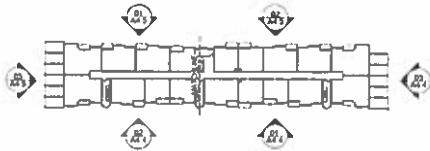
SHEET NUMBER

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BUILDING 'C'

ELEVATIONS

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04 ELEVATION KEY PLAN  
SCALE: 1/8" = 1'-0"



03 BUILDING 'C' RIGHT ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 3



02 BUILDING 'C' REAR ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 3



01 BUILDING 'C' REAR ELEVATION  
SCALE: 1/8" = 1'-0" 1 REQUIRED @ BUILDING 3

06.12.2026

PRELIMINARY  
DRAWINGS

Cross  
ARCHITECTS, PLLC

ARCHITECT:  
CROSS ARCHITECTS, PLLC  
479 JAMES STREET  
SUITE 200  
WAXAHACHIE, TEXAS 75080  
P: 972.388.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHIE, TEXAS

DATE  
06.12.2026

PROJECT NUMBER  
25097

REVISIONS

NO. DATE

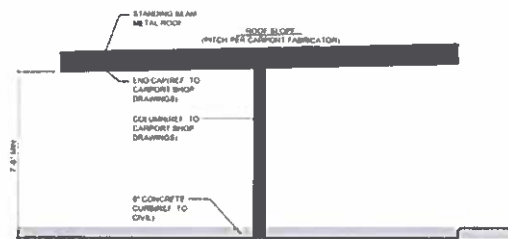
ISSUED FOR  
REVIEW

SHEET NUMBER  
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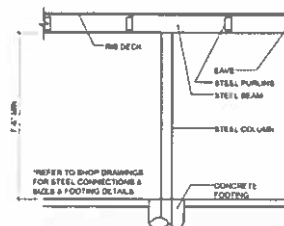
BUILDING 'C'  
ELEVATIONS

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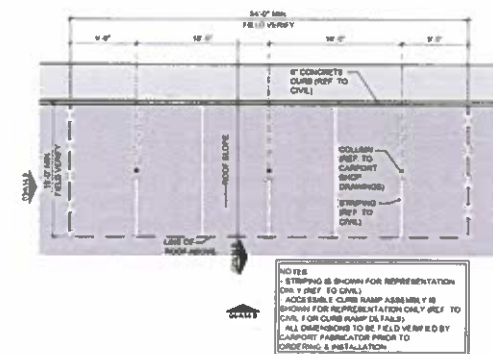
03 TYPICAL CARPORT SIDE ELEVATION  
SCALE: 3/8" = 1'-0"



02 TYPICAL CARPORT SECTION  
SCALE: 3/8" = 1'-0"



04 TYPICAL 6-BAY CARPORT FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



01 TYPICAL 6-BAY CARPORT PLAN  
SCALE: 1/8" = 1'-0"

06.12.2026

PRELIMINARY  
DRAWINGS

Cross

ARCHITECT  
CROSS ARCHITECTS, PLLC  
2000 AVENUE 100  
SUITE 200  
WAXAHACHIE, TEXAS 75080  
P: 972.398.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHIE, TEXAS

DATE

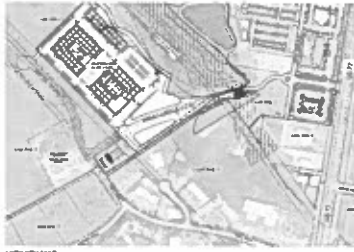
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PROJECT NUMBER

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REVISIONS

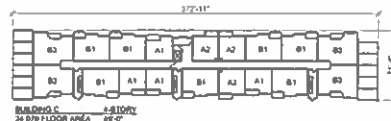
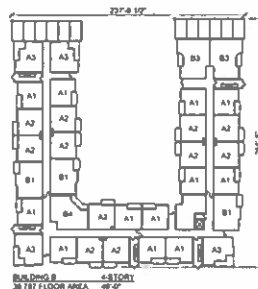
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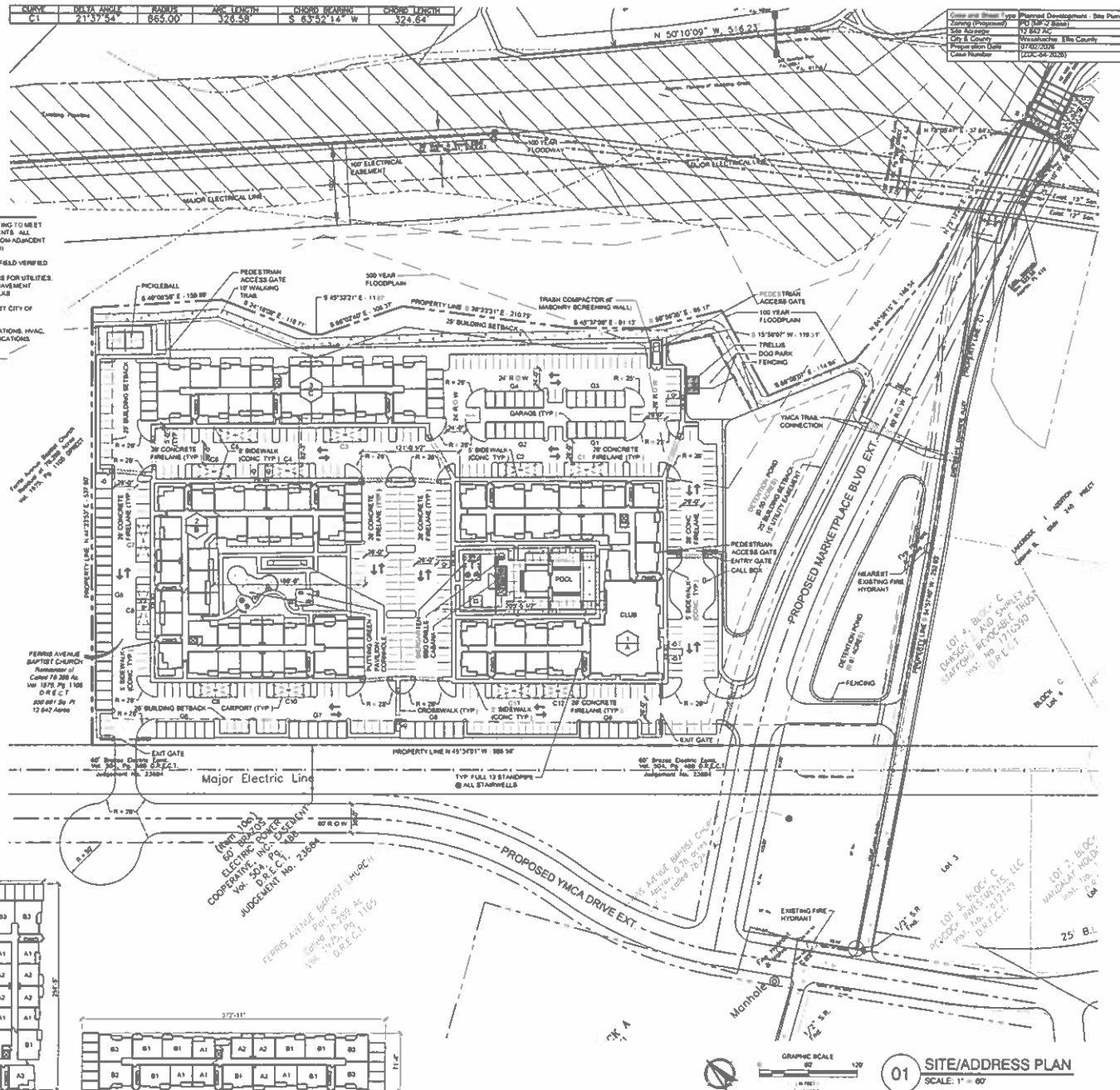
### LEGEND

|                             |                                                                                   |
|-----------------------------|-----------------------------------------------------------------------------------|
| PROPERTY LINE               | -----                                                                             |
| EASEMENT/STREET BACKS       | -----                                                                             |
| # METAL FENCE               | =====                                                                             |
| # METAL FENCE               | =====                                                                             |
| 5 CONCRETE SIDEWALK         | =====                                                                             |
| 10' CONCRETE WALKING TRAIL  | =====                                                                             |
| TARGET MARK:                |                                                                                   |
| HANDICAP PARKING            |  |
| HANDICAP VAN PARKING        |  |
| HANDICAP UNIT DESIGNATION   |  |
| TRAFFIC DIRECTIONAL ARROWS  |  |
| FIRE SPRINKLER RISER ROOM   |  |
| CARPET DESIGNATED CH        |  |
| GARAGE (TYPE DESIGNATED GH) |  |

| SITE DATA TABLE        |                                      |            |            |
|------------------------|--------------------------------------|------------|------------|
| LOCATION               | 13 647 AC (330 985 S.F.)             |            |            |
| LOT AREA               | 260.00 AC (90 720 000 S.F.)          |            |            |
| CURRENT USE            | VACANT                               |            |            |
| PROPOSED USE           | MULTIFAMILY APARTMENT COMPLEX        |            |            |
| BUILDING DATA          |                                      |            |            |
| BUILDING 1A            | 144 051.73 SQ FT                     |            |            |
| BUILDING HEIGHT        | 12 ST (12' 0" TO 12' 6")             |            |            |
| NUMBER OF UNITS        | 70 UNITS (60 1-BR, 10 2-BR)          |            |            |
| BUILDING COVERAGE      | 8.98%                                |            |            |
| F.T.A.B.               | 17.0                                 |            |            |
| BUILDING 2B            | 142 337.62 SQ FT                     |            |            |
| BUILDING HEIGHT        | 12 ST (12' 0" TO 12' 6")             |            |            |
| NUMBER OF UNITS        | 120 UNITS (60 1-BR, 60 2-BR)         |            |            |
| BUILDING COVERAGE      | 7.62%                                |            |            |
| F.T.A.B.               | 15.0                                 |            |            |
| BUILDING 3C            | 88 174.85 SQ FT                      |            |            |
| BUILDING HEIGHT        | 12 ST (12' 0" TO 12' 6")             |            |            |
| NUMBER OF UNITS        | 72 UNITS (23 1-BR, 49 2-BR)          |            |            |
| BUILDING COVERAGE      | 6.37%                                |            |            |
| F.T.A.B.               | 15.0                                 |            |            |
| PARKING SUMMARY        |                                      |            |            |
| REQUIRED               | 471 SPACES                           |            |            |
| PROPOSED               | 471 SPACES                           | 471 SPACES | 471 SPACES |
| UNCOVERED              | 200                                  | 271        | (1)        |
| CARPORT (CPL)          | 22                                   | 176        | (1)        |
| DETACHED GARAGE (DGA)  | 22                                   | 7          | (2)        |
| ATTACHED GARAGE (APA)  | 23                                   | -          | -          |
| CYCLORHSE              | 14                                   | 176        | (1)        |
| TOTAL                  | 471 SPACES                           |            |            |
| OVERLAP                | 267 331 / 132 507 FT (64' 0")        |            |            |
| OVERLAP/REQUIRE        | 133 678 678 / 90 720 000 FT (146.0%) |            |            |
| PERCENT SPACE REQUIRED | 100.00% (100.00% / 100.00%)          |            |            |
| PERCENT SPACE PROVIDED | 100.00% (100.00% / 100.00%)          |            |            |



| CURVE | DELTA ANGLE | RADIUS  | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|-------------|---------|------------|---------------|--------------|
| C1    | 21°37'54"   | 865.00' | 320.59'    | S 63°52'14" W | 324.64'      |



06.12.2026

**PRELIMINARY  
DRAWINGS**  
NOT FOR CONSTRUCTION

**Cross**

ARCHITECT:  
CROSS ARCHITECTS, PLLC  
879 JUNCTION DRIVE  
ALLEN, TEXAS 75013  
P: 972.398.6644  
WWW.CROSSARCHITECTS.COM

THE AVENUE  
WAXAHACHIE, TEXAS

06.12.2026

25097

## REVISIONS

DATE \_\_\_\_\_

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Printed on 7/26



LOT AREA: 656,200 SQ. FT. (12.022 AC)  
BUILDING FLOOR AREA: 94,004 S.F.  
PARKING SPACES: 473 SPACES

REQUIRED 50% OF BUILDING FLOOR AREA SHALL BE PROVIDED IN PERMANENT LANDSCAPE AREA  
(0.004 X 50% = 0.201 S.F. LANDSCAPE AREA)

- (1) 4" CANOPY PER 100 S.F. LANDSCAPE AREA (0.201 X 100 = 20 CANOPY TREES)
- (2) ORNAMENTAL TREE PER 200 S.F. LANDSCAPE AREA (0.201 X 200 = 100 ORNAMENTAL TREES)
- (3) 3 GAL. SHRUB PER 70 S.F. LANDSCAPE AREA (0.201 X 70 = 171 3 GAL. SHRUBS)

10% OF LANDSCAPE AREA SHALL BE GROUND COVER (0.201 X 10% = 0.020 S.F. GROUND COVER)

3% OF LANDSCAPE AREA SHALL BE SEASONAL COLOR (0.201 X 3% = 0.006 S.F. SEASONAL COLOR)

**DESIGNING THE LANDSCAPE**

ALL PARKING SPACES TO BE WITHIN 84 FEET OF TRUNK OF TREE

ALL PARKING SPACES WITHIN 50 FEET OF TRUNK OF TREE

REQUIRED: 15 BUFFER WITH (1) TREE PER 30 L.F. STREET FRONTAGE  
PROPOSED MARKETPLACE BLVD (886 L.F. / 30 = 29.2 TREES)  
PROPOSED YUCCA DRIVE (756 L.F. / 30 = 25.2 TREES)  
(EXTRA TREES PLACED ALONG MARKETPLACE BLVD BUFFER TO FULFILL TOTAL TREE REQ.)

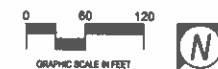
## LANDSCAPE BUFFER SPACE

**NOTE:**

THE PROPERTY OWNER, TENANT, OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING IN A HEALTHY, VIGILANT, ORDERLY, AND LIKE-GROWING CONDITION AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPING AREAS SHALL BE KEPT FREE OF THE LITTER, RUBBISH, AND OTHER SUCH MATERIALS NOT A PART OF THE LANDSCAPING. PLANT MATERIALS THAT DIE SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE.

LANDSCAPE PLAN

SCALE 1" = 80' 4"



① 06-10-20 CITY SUPERVISOR  
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**CLIENT:**  
Cresco Architects, PLLC  
878 Junction Drive  
Allen, Texas 75013

**THE AVENUE  
WAXAHACHIE, TEXAS**

**mbg**  
management  
business group

MANAGEMENT EXPANSION GROUP, INC.  
1795 N. COLLINS BLVD., SUITE 300  
ROCKWELL, TX 78666  
PH (512) 699-1424  
F (512) 699-7874

**CITY SUBMITTAL**

## THE AVENUE

MILLAMACHE, TEXAS

1000

LANDSCAPE PLAN

— — — — —

LP0.0

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- ## NOTE NOTES

- ### BUILDING KEY

- 
- BUILDING MANAGEMENT

- 
- BUILDING TYPE

### SITE DATA TABLE



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## PLANNED DEVELOPMENT STANDARDS

### THE AVENUE

Waxahachie, Texas

#### Section I. Purpose and Intent

The subject property is a tract of land totaling 12.642 acres, being a portion of the property commonly known as 1761 N. Highway 77 in the City of Waxahachie. The property is currently zoned Commercial (C). The applicant is requesting rezoning to Planned Development – Multiple-Family Residential-2 (PD-MF2) to facilitate development of a luxury, market-rate multifamily residential rental community with the entire development on a single lot.

This Planned Development is intended to allow for a high-quality multifamily residential development and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, and compliance with appropriate design standards. The development aims to serve Waxahachie by providing quality housing options, supporting community-centric lifestyles through superior design and on-site amenities, and upholding high standards of architecture, landscaping, and community design.

#### Section II. Use or Combination of Uses Proposed

The Planned Development – Multiple-Family Residential-2 (PD-MF2) designation is intended to allow a market-rate multifamily residential community consistent with the MF2 base zoning district. The following uses are proposed and shall be permitted by right within this Planned Development:

| Proposed Use             | Base Zoning District                | Description                                                                                                                                                                                |
|--------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Multi-Family Residential | Multiple-Family Residential-2 (MF2) | 314-unit apartment community with one- and two-bedroom floor plans.                                                                                                                        |
| Residential Amenity Uses | Multiple-Family Residential-2 (MF2) | Clubhouse, leasing office, fitness center, resort-style pool, pickleball courts, dog park, biergarten, putting green, pavilion, cabana, BBQ grills, pet yards, and related accessory uses. |

All uses not explicitly listed but consistent with the MF2 zoning district may be allowed subject to City Council approval within this Planned Development framework. Uses requiring a Specific Use Permit (SUP) shall undergo the City's public hearing and permit review process.

### Section III. Lot Area and Height Regulations (Width, Depth, Coverage, Yard Depths, and Building Height)

The subject property is currently zoned Commercial (C). The applicant is requesting rezoning to Planned Development – Multiple-Family Residential-2 (PD-MF2) to facilitate development of a 314-unit multifamily residential community. The following chart summarizes the area, height, density, and yard requirements for this Planned Development. Any lot or design aspect not specifically called out shall default to the requirements of the MF2 base zoning district.

| Attribute                                  |                                                                                                                            |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>Total Site Area</b>                     | 12.642 acres (550,691 sq. ft.)                                                                                             |
| <b>Total Building Area (Footprint)</b>     | Building 1-A: 38,358 sq. ft. footprint<br>Building 2-B: 38,707 sq. ft. footprint<br>Building 3-C: 24,079 sq. ft. footprint |
| <b>Maximum Lot Coverage</b>                | Per MF2 base district – 40% by main & accessory bldgs.                                                                     |
| <b>Number of Units</b>                     | 314 units                                                                                                                  |
| <b>Unit Mix</b>                            | 196 one-bedroom units; 118 two-bedroom units                                                                               |
| <b>Gross Density</b>                       | 24.84 units per acre (PD variance from MF2 base district – see Section IV)                                                 |
| <b>Base Zoning District</b>                | PD – MF2 (Multiple-Family Residential-2)                                                                                   |
| <b>Minimum Front Yard (ft.)</b>            | [Per MF2 base district – 25']                                                                                              |
| <b>Minimum Side Yard (ft.)</b>             | [Per MF2 base district – 25']                                                                                              |
| <b>Minimum Rear Yard (ft.)</b>             | [Per MF2 base district – 25']                                                                                              |
| <b>Maximum Building Height</b>             | 4 stories or 60'-0" (PD variance from MF2 base district — see Section IV)                                                  |
| <b>Building Setback from Property Line</b> | As shown on Site Plan (Exhibit D)<br>5' for accessory structures                                                           |

#### **Total Site Area and Building Coverage**

Total Site Area: 12.642 acres (550,691 sq. ft.)

Total Building Footprint Area: 101,114 sq. ft.

Building 1-A: 4-stories, 54'-0" height max.

Building 2-B: 4-stories, 49'-0" height max.

Building 3-C: 4-stories, 49'-0" height max.

Lot coverage (approx. 21.6%) is defined by the footprints of building structures and accessory structures as shown on the Site Plan attached as Exhibit D.

#### **Street Dedication**

The development includes the extension of YMCA Drive and Marketplace Boulevard along or adjacent to the subject property. The land required for these public street rights-of-way shall be dedicated to the City of Waxahachie at the time of platting. The developer shall construct said street improvements in accordance with City standards. Final right-of-way widths and alignment shall be determined in coordination with the City Engineer and reflected on the Final Plat.

## Section IV. PD Variances from MF2 Base District

The following variances from the MF2 base zoning district standards are requested as part of this Planned Development. All other MF2 standards not specifically modified herein shall apply.

### A. Maximum Building Height

The MF2 base district permits a maximum building height of three (3) stories. This Planned Development provides for a maximum building height of four (4) stories to accommodate the proposed residential building design as illustrated in Exhibit B (Elevation/Façade Plan). No PD variance is requested with respect to the number of buildings or overall site configuration.

### B. Maximum Building Length

The Planned Development provides for a variance from the maximum building length of 200 feet. This allows for efficient site planning and a connected community with amenity clusters placed in close proximity to large clusters of units. Each building has at least one amenity area immediately outside of it. The proposed building length is also consistent with similar multifamily developments in the area. Reducing the building length would result in a higher number of buildings, which would reduce amenity areas and greenspace, and detract from the architectural aesthetic of the project. A walking trail tying into an offsite trail network traversing the area has been included as an amenity for the project and surrounding community.

### C. Parking Configuration

Parking as provided on the Site Plan (Exhibit D) includes the following:

| Parking Type          | Spaces Provided      |
|-----------------------|----------------------|
| Uncovered / Surface   | 305                  |
| Carport (15%)         | 72                   |
| Detached Garage (15%) | 72                   |
| Attached Garage (5%)  | 23                   |
| Total Provided        | 472 spaces           |
| Parking Ratio         | 1.50 spaces per unit |

Parking required under MF2 base district standards:

- 1.5 spaces per 1-bedroom unit:  $196 \times 1.5 = 294$  spaces
- 1.5 spaces per 2-bedroom unit:  $118 \times 1.5 = 177$  spaces
- Total Required: 471 spaces

Total spaces provided (472) exceed the minimum required (471). The parking ratio of 1.50 spaces per unit satisfies the MF2 base district requirement.

Garage parking required under MF2 base district standards:

- One-half of the minimum required off-street spaces shall be provided in attached fully enclosed garages.

Garage spaces provided are, as listed in the table above, 72 detached garage spaces (15%) and 23 attached garage spaces (5%), with an additional 72 spaces being provided as covered carports (15%).

The reason for this variance is to create an enhanced ground floor aesthetic and to provide private pet yards on as many ground floor units as possible. Pet yards are immensely popular and are far more sightly than extended rows of garage door panels. Based on experience, the amount of covered parking being offered is more than adequate to meet demand.

Garages are setback a minimum of three feet from the circulation aisle as opposed to eight feet. A three-foot setback is standard for developments of this type, and increasing it to eight feet would create a larger impervious footprint for the project and reduce usable green space being preserved for amenities and landscaping.

#### ***D. Additional Variances***

The Planned Development is to utilize a minimum of 60% masonry products on the building exterior walls, including stucco. The project is to use 40% maximum fiber cement siding. Due to the use of wood-look fiber cement siding, the project varies from the base MF district masonry percentage of 90% of the total exterior walls. This variance is necessary to achieve an elevated aesthetic. The design pairs stone and brick with stucco banding, wood-look fiber cement siding, and various building accents to break up the building's massing and achieve visual intrigue that compliments surrounding architecture while utilizing durable materials that will preserve the look of the project over time. A more detailed explanation of the building elevations can be found in Section V.

The unit density also varies from the base MF2 zoning of 18 units per acre with a density of 24.84 units per acre, which is similar to other recent multifamily developments in the area.

In lieu of locating all units within 250 feet of a refuse facility, valet trash service will provide trash collection from each unit. Collection will occur multiple days per week on a consistent schedule, and garbage will be consolidated in a single trash compactor on site, which will be screened on three sides in accordance with the Code of Ordinances. The property will engage municipal or commercial waste services to empty and haul off garbage from the compactor regularly.

---

## **Section V. Building Elevations**

Primary building elevations are provided in Exhibit B – Elevation/Façade Plan, which offers examples of building facades, materials, and color palettes to be used. All buildings shall embody a modern architectural character with high-quality exterior finishes consistent with the design intent illustrated in Exhibit B and the Concept Rendering (Exhibit A3).

(114)



### ***Residential Building – Principal Structure***

The primary residential building is a four-story wood-frame construction featuring a contemporary design language that combines warm and neutral material tones. The building mass is articulated with varied roof lines, projecting and recessed bays, and balcony elements to reduce visual scale and create architectural interest. Materials include:

- Brick (base and accent courses)
- Natural stone (accent elements)
- Stucco (field areas)
- Fiber cement lap siding (upper story accents)
- Smooth fiber cement board (trim and panel elements)
- Metal railing (balconies and corridors)
- Metal awnings at entry and ground-floor features
- Storefront entry doors at primary clubhouse entry

The use of a wider variety of materials allows for more intrigue in the elevations by providing different but complimentary colors and textures. The materials have been carefully selected to preserve the project's aesthetic for the long term.

A brick and stone masonry water table is placed around the entire perimeter of each building to withstand wear that can be caused by ground level traffic. The majority of each building has masonry elements extending to the second floor or higher, with many areas where masonry spans the entire height of the buildings. Stucco and wood-look horizontal siding are placed above the masonry water table, adding color and texture variation to enhance curb appeal.

All buildings shall be designed with compatible materials, colors, and architectural character as established in Exhibit B. New construction shall match the exterior palette, massing, and scale appropriate for the community and broader development context.

The project will feature a flat roof design with a TPO membrane, providing a modern residential aesthetic. The flat roof allows for a 30" tall parapet wall in lieu of a 15' tall hipped roof, which eliminates the need for excessive height. It also provides an area to locate the mechanical condensing units where they're hidden from view and easily accessed for maintenance. Minimum roof pitch shall be 1/4:12, to accommodate TPO roofing membrane, and the building roof itself shall be screened by the parapet walls as shown in the building elevations.

## Section VI. Unit Floorplans

Conceptual unit floorplans have been attached as Exhibit A. While these are subject to change, a variety of one- and two-bedroom floorplans will be provided with varied square footage, layouts and features.

## Section VII. Parking

The Planned Development provides off-street parking designed to serve all residential units and amenity areas. A variety of parking options include uncovered spaces, attached garage spaces, detached garage spaces, and covered parking spaces. The number and distribution of spaces was designed to satisfy anticipated tenant demand based on market experience while preserving the aesthetic of the project. While it is understood that the project does not meet the requirements of the base zoning, the variance is requested to preserve the aesthetic of the buildings and overall project, and to be able to offer as many ground floor units and pet yards as possible, which tend to be more desirable and better looking. Parking is distributed across the site as depicted on the Site Plan attached as Exhibit D.

| Parking Type       | Required Calculation                                                | Provided Spaces | Comments                                                          |
|--------------------|---------------------------------------------------------------------|-----------------|-------------------------------------------------------------------|
| General Parking    | 1.5 spaces/1BR or 2BR unit                                          | 472             |                                                                   |
| Accessible Parking | Per ADA Standards, minimum spaces based on total (IBC Table 1106.2) | 9               | Includes [2] van-accessible spaces per ADA 2010                   |
| Attached Garages   | One-half of the required spaces                                     | 23              | Attached garages are provided where space allows while preserving |

|                  |     |    |                                                                         |
|------------------|-----|----|-------------------------------------------------------------------------|
|                  |     |    | ground floor unit patios and pet yards                                  |
| Detached Garages | N/A | 72 | Detached garages are provided as a supplementary covered parking option |
| Carports         | N/A | 72 | Carports are provided as a supplementary covered parking option         |

## Section VIII. Access

Vehicular access to the development is provided from the proposed YMCA Drive Extension and the proposed Marketplace Boulevard Extension, both of which are anticipated to be public streets with right-of-way dedicated to the City of Waxahachie. Final access configurations, driveway locations, and street cross-sections shall be coordinated with the City Engineer and reflected on the Final Plat and construction plans.

The development site includes a gated primary entry with a call box system for controlled resident and guest access. Exit gates shall be provided as shown on the Site Plan. Internal circulation is designed to accommodate fire apparatus access, emergency vehicles, and service vehicles throughout the site.

Additional access provisions include:

- A gated entry call box at the primary entrance for resident and guest access control.
- Exit gate(s) positioned to facilitate safe egress from the site.
- Emergency vehicle access provisions as required by the City's Fire Marshal.
- Internal drive aisles and fire lanes designed to meet City and fire code standards.

## Section IX. Landscaping and Screening

Landscaping shall be provided throughout the development in conformance with the Landscape Plan attached as Exhibit E and the City of Waxahachie Zoning Ordinance. The Property Owner shall provide a permanent irrigation system for all required landscape areas and shall maintain the required landscaping at all times.

Landscaping and screening provisions include:

- Perimeter landscaping along all property boundaries adjacent to public rights-of-way and adjoining properties as required by the City of Waxahachie Zoning Ordinance and as shown on Exhibit E.
- Interior parking lot landscaping as required by the MF2 base district standards.
- All dumpster enclosures shall be screened from public view with a masonry enclosure and gates, consistent with City screening standards and the architectural character of the development.
- Pet yards (44 total) shall be fenced with materials compatible with the overall development aesthetic.
- All landscaping within easement areas shall be limited to groundcover, shrubs, and other low-growing plant material unless otherwise approved by the applicable utility or easement holder.

- Crepe myrtles will be provided in high visibility and frontage areas.

## Section X. Signage

Signage for the project shall adhere to the signage requirements set forth in the MF2 zoning district. Per Article V, Section 5.08 of Appendix A of the Code of Ordinances, wall signs will be allowed and may be illuminated. A monument sign will be located near the primary entry. Site and building signage plans shall be submitted to the city for review during the permit process, and no signage will be installed without approval from the City of Waxahachie.

A third-party branding consultant will be engaged to brand the project and generate a color template, logo and sign package. The signage colors and materials will be complimentary to the color scheme and character of the project, and a full signage package will be submitted for city review and approval prior to any installation taking place.

## Section XI. Site Amenities

The project shall include the following on-site amenities for the benefit of residents:

- Clubhouse
- Fitness center with cardio
- Recovery spa with infrared sauna and cold plunge
- Community room with demo kitchen
- Resident co-working space
- Resort-style swimming pool with cabana
- Walking trail connecting to existing area trail network
- Pickleball court
- Putting green
- Biergarten / al fresco dining area
- Pavilion
- Cornhole and lawn games area
- Dog park with separate small and large dog sections
- 44 private pet yards
- BBQ grills and outdoor cooking stations

## Section XII. Lighting

All exterior lighting, including accent and security lighting, shall maintain compliance with the Lighting & Glare Standards of the City of Waxahachie Zoning Ordinance. All fixtures shall be fully shielded cut-off luminaires that direct light downward to prevent spillover, glare, and light trespass onto adjoining properties and roadways.

The site photometric plan is illustrated in Exhibit G – Photometric Plan. All exterior lighting shall be subject to City review and approval. The light fixture selections shown in Exhibit G are the intended products, subject to availability. In the event a fixture is no longer available or viable, a similar fixture of equal or better quality will be used, subject to city approval.

### Section XIII. Project Phasing and Schedule

The project is anticipated to be constructed in multiple phases. Construction phasing, sequencing, and scheduling details shall be determined by the developer in coordination with the City of Waxahachie and shall be reflected in the Development Agreement required under Section XIV below.

The buildings shall be constructed by the phases illustrated in the attached Phasing Plan, Exhibit H:

**Phase 1:** Clubhouse, entry drive, dog park, trash compactor and firelanes adjacent to the building

**Phase 2:** North section of building 1-A, pool and amenity courtyard for building 1-A, firelanes adjacent to the building, carports C1 and C2, detached garages G1 and G2

**Phase 3:** South section of building 1-A, firelane along the rear and side of building 1-A, carports C11 and C12, detached garages G8 and G9

**Phase 4:** Firelanes north of building 1-A and detached garages G3 and G4

**Phase 5:** Building C-3, Pickleball court, firelanes adjacent to building C-3, carports C3 and C5

**Phase 6:** North section of building 2-B, firelanes adjacent to the building, putting green courtyard for building 2-B, carports C4, C6, C7, and C8, garage G5

**Phase 7:** South section of building 2-B, firelanes adjacent to the building, exit drive at turnaround for proposed YMCA Drive Extension, carports C9, and C10, garages G6 and G7

### Section XIV. Management and Maintenance

The property owner and/or its designated property management entity shall be responsible for all maintenance of the development, including but not limited to: all residential buildings and accessory structures, parking areas, drives and fire lanes, screening walls and fencing, irrigation systems, landscaping, site lighting, signage, and all amenity areas throughout the property.

All private streets, drives, and common areas within the development shall be privately maintained by the property owner and/or its designated property management entity and shall not be maintained by the City of Waxahachie unless dedicated and accepted by the City. All public streets, drives, and common areas dedicated to and accepted by the City of Waxahachie shall be maintained by the City.

### Section XV. Architectural Standards

To support standards that promote uniformity in the development while allowing design flexibility to accommodate high-end multiple-family uses, the following architectural standards shall govern new vertical construction on the property.

All buildings shall be designed with compatible materials, colors, and architectural character as established in Exhibit B.

Buildings shall incorporate horizontal and vertical design elements that provide visual interest and break up large wall planes. This may be achieved through:

- Changes in building materials or textures
- Vertical reveals or expressed structural elements
- Horizontal banding or datum lines
- Wall plane projections or recesses

- Coordinated color transitions between materials

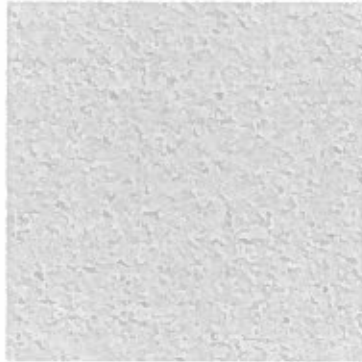
### **Materials and Colors**

The following conceptual materials and colors have been chosen for architectural compatibility between all buildings and phases. Building materials shall conform to the following standards to ensure design continuity throughout all phases. The following materials and color palettes are intended to guide the development to ensure consistency in materials and finishes across the project. Materials shall be approved by the owner and project architect, and must be approved by the city prior to any construction taking place. Once improvements are constructed, any replacement, repair or installation must adhere to the materials and colors in this PD. Any deviations will require city approval.

- Stucco:
  - Primary Color: *White – Field color*



- Accent Color: *Light Gray – Trim locations*



- Brick:
  - Brick masonry – *Black or dark gray*



- Stone:
  - Cast Stone Masonry – *Gray*

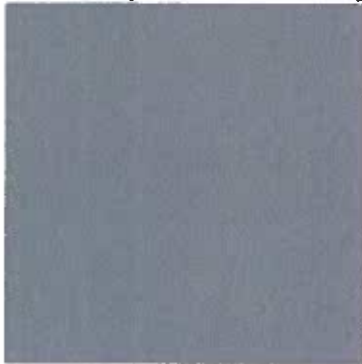
(14)



- Fiber Cement Siding:
  - Primary Color: Cedar Brown – Siding to be wood-textured



- Secondary Color: Dark Gray – Patio siding



- Accent Color: Light Gray – Trim locations, smooth fiber cement board locations



- Metal Railings, Awnings, and Carport structural members:
  - Primary Color: *Black*



- Aluminum Storefront Doors and Windows:
  - Color: *Black Anodized*

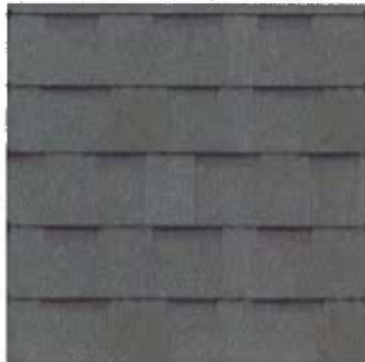


- Standing Seam Metal Roofing:
  - Color: *Charcoal Grey – Attached garage roofing*



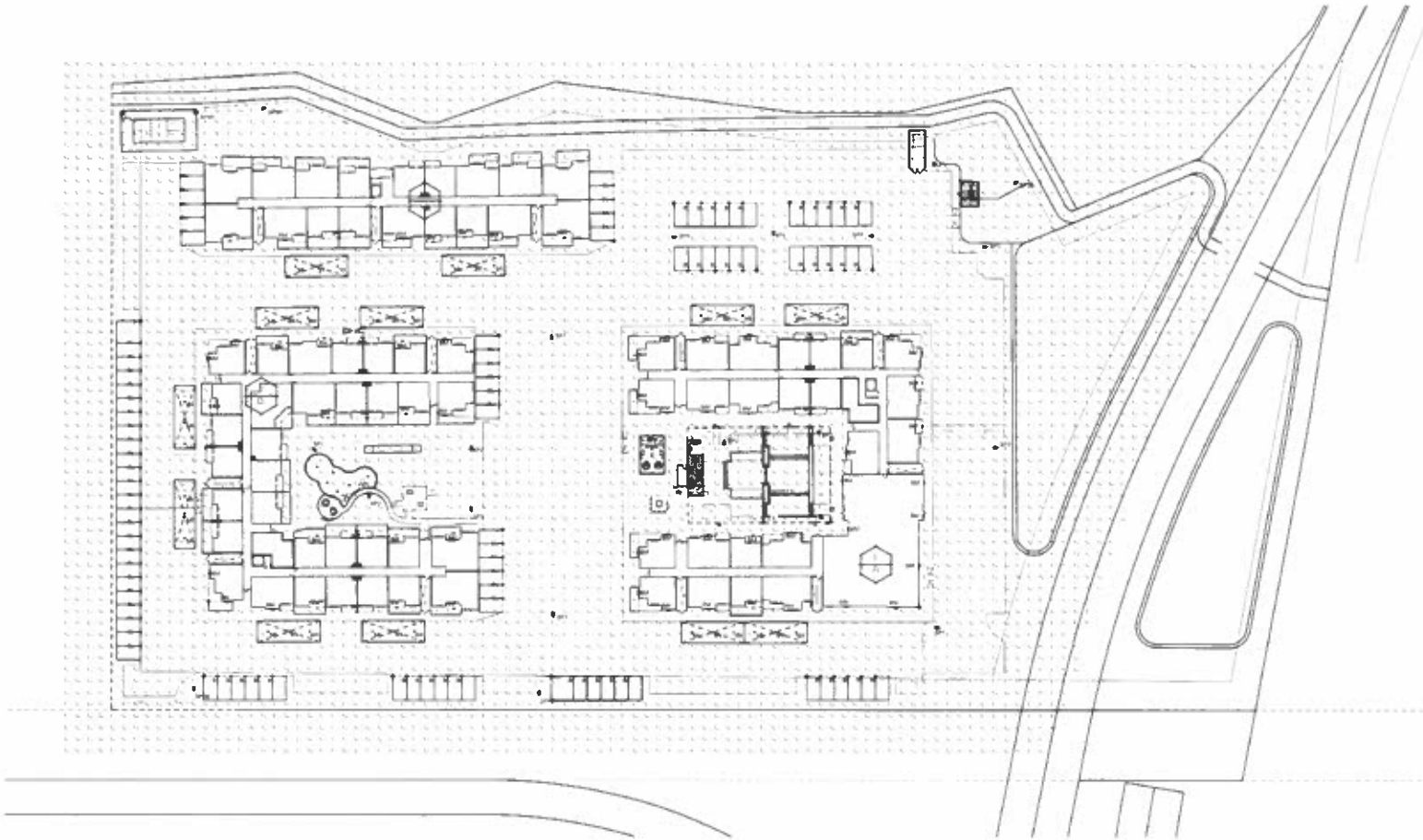
Charcoal  
Grey

- 30-Year Architectural Composition Shingles:
  - Color: *Dark Gray – Detached garage roofing*



| Lighting Schedule |     |      |          |                              |      |       |      |       |       |
|-------------------|-----|------|----------|------------------------------|------|-------|------|-------|-------|
| Item              | Qty | Size | Mounting | Description                  | Watt | Color | Beam | Notes | Notes |
| 1                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 2                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 3                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 4                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 5                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 6                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 7                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 8                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 9                 | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 10                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 11                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 12                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 13                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 14                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 15                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 16                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 17                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 18                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 19                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |
| 20                | 10  | 4"   | Recess   | 4" Recessed IC LED Downlight | 10W  | 3000K | 30°  |       |       |

| Notes                                                                                            |  |  |  |  |  |  |  |  |  |
|--------------------------------------------------------------------------------------------------|--|--|--|--|--|--|--|--|--|
| 1. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 2. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 3. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 4. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 5. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 6. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 7. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 8. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 9. All lighting fixtures shall be installed in accordance with the manufacturer's instructions.  |  |  |  |  |  |  |  |  |  |
| 10. All lighting fixtures shall be installed in accordance with the manufacturer's instructions. |  |  |  |  |  |  |  |  |  |



NOTES:  
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
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IF USING PRODUCTS WITH SELECTABLE BEAM TEMPERATURES AND/OR ADJUSTABLE BEAM PATTERNS, PLEASE ENSURE THESE FEATURES ARE SET IN THE FIELD TO THE DESIGN PROVIDED ON THIS DRAWING.

NOTES:  
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
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Design Credits:  
ARCHITECT: [Faint text]  
DESIGNER: [Faint text]  
DATE: [Faint text]

**King Lighting, Inc.**  
100 West 10th Street, Suite 100  
Portland, OR 97201  
503.525.1111  
www.kinglighting.com

Lighting Calculations:  
By: [Faint text]  
Date: [Faint text]

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|----------|-----------|----------|--------|----------|-------|
| DATE     | SCALE     | DESIGNER | INCHES | DATE     | SHEET |
| 07/15/18 | 1"=10'-0" | AL       | 36"    | 08/15/18 | 51    |

VICINITY MAP

| LEGEND                      |           |
|-----------------------------|-----------|
| PROPERTY LINE               | ---       |
| RASEMENT/RETAINING WALLS    | - - - - - |
| 6" METAL FENCE              | =====     |
| 4" METAL FENCE              | =====     |
| 3" CONCRETE SIDEWALK        | =====     |
| 10' CONCRETE WALKING TRAIL  | =====     |
| TARGET MARK                 | ◆         |
| HANDICAP PARKING            | ◆         |
| HANDICAP VAN PARKING        | ◆ VAN     |
| HANDICAP UNIT DESIGNATION   | ◆         |
| TRAFFIC DIRECTIONAL ARROWS  | ↔         |
| FIRE SPRINKLER RISER ROOM   | ★         |
| CARPOT (DESIGNATED CP)      | ◆         |
| GARAGE (TYP. DESIGNATED GR) | ◆         |

SITE NOTES

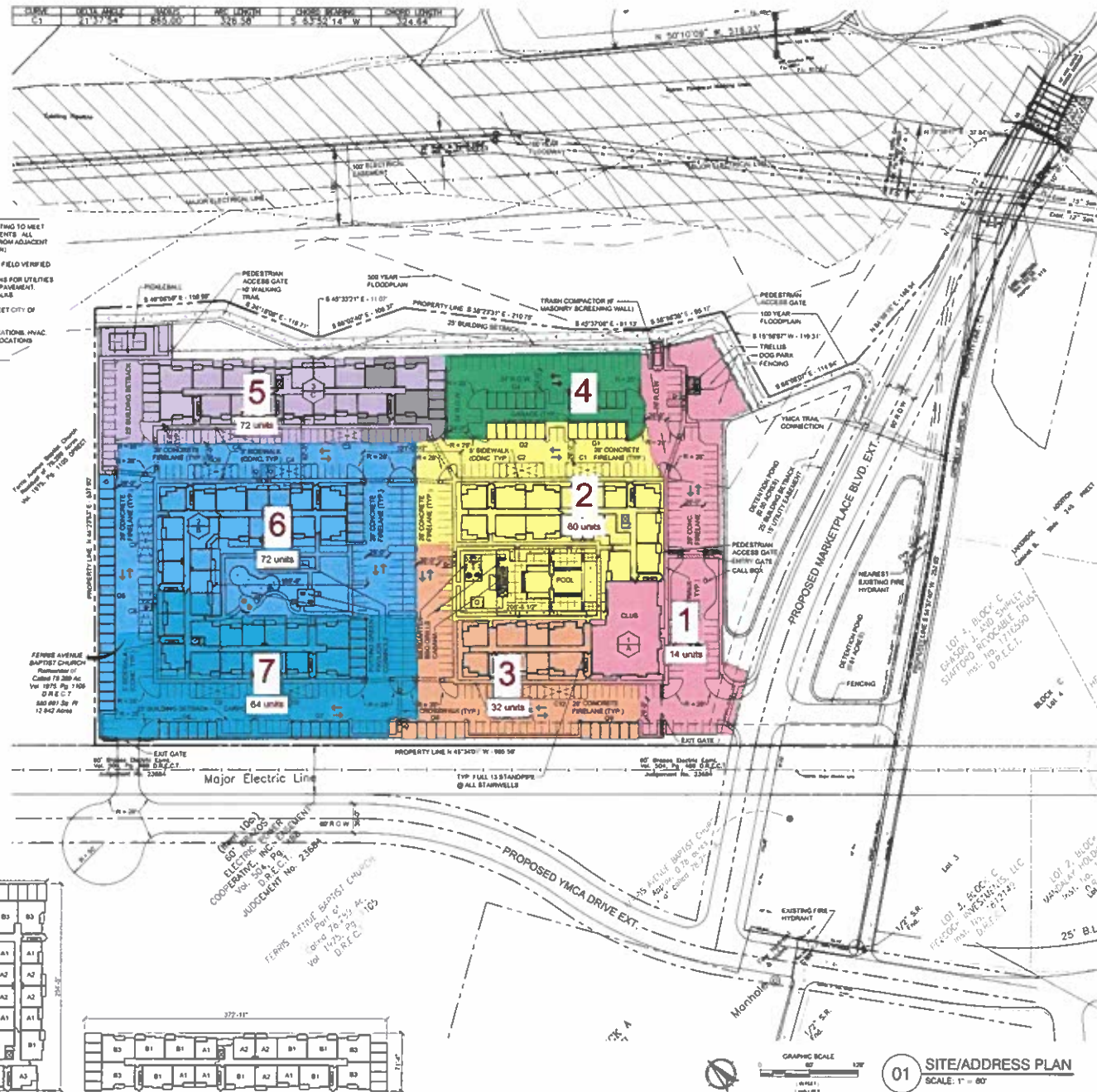
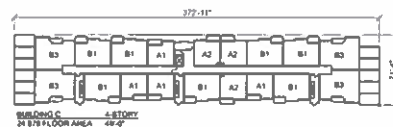
- 1 CONTRACTOR TO INSTALL ALL EXTERIOR LIGHTING TO MEET THE CITY OF WAUKESHA ZONING REQUIREMENTS. ALL EXTERIOR LIGHTING TO BE DIRECTED AWAY FROM ADJACENT RESIDENCES (REF. TO NEP PLANS FOR DEB BIGH).
- 2 NOTE LOCATION OF PERIMETER FENCE TO BE FIELD VERIFIED
- 3 SEE CIVIL ENGINEERING AND LANDSCAPE PLANS FOR UTILITIES DIMENSIONS CONTROL, GRADING, DRAINAGE, PAVEMENT, PARKING SPACES, HC RAMP AND ALL SIDEWALKS
- 4 CONTRACTOR TO INSTALL ALL SIGNAGE TO MEET CITY OF WAUKESHA ZONING REQUIREMENTS
- 5 REFER TO NEP PLANS FOR LIGHTING SPECIFICATIONS, HVAC, GAS, TELEPHONE AND ELECTRICAL SERVICE LOCATIONS

### BUILDING KEY

Diagram illustrating the building classification code structure:

- BUILDING NUMBER** (Top section)
- BUILDING TYPE** (Bottom section)

| SITE DATA TABLE       |                               |          |              |
|-----------------------|-------------------------------|----------|--------------|
| LOCATION              | 73 RAD AC (507 SQ FT)         |          |              |
| OWNER                 | 22000 (50 SQ FT) 2 BLDG       |          |              |
| CURRENT USE           | VACANT                        |          |              |
| PROPOSED USE          | MULTIFAMILY APARTMENT COMPLEX |          |              |
| BUILDING DATA         |                               |          |              |
| BUILDING 1-A          |                               |          |              |
| BUILDING AREA         | 145,807 SQ FT                 |          |              |
| BUILDING HEIGHT       | 145' 0" (127' 0" VERTICAL)    |          |              |
| NUMBER OF UNITS       | 100 UNITS (58 LBR, 50 2-BR)   |          |              |
| BUILDING COVERAGE     | 8.88%                         |          |              |
| F & B                 | 17.8.1                        |          |              |
| BUILDING 2-B          |                               |          |              |
| BUILDING AREA         | 145,827 SQ FT                 |          |              |
| BUILDING HEIGHT       | 145' 0" (127' 0" VERTICAL)    |          |              |
| NUMBER OF UNITS       | 130 UNITS (135 LBR, 34 2-BR)  |          |              |
| BUILDING COVERAGE     | 7.05%                         |          |              |
| F & B                 | 19.8.1                        |          |              |
| BUILDING 3-C          |                               |          |              |
| BUILDING AREA         | 88,174 SQ FT                  |          |              |
| BUILDING HEIGHT       | 145' 0" (127' 0" VERTICAL)    |          |              |
| NUMBER OF UNITS       | 77 UNITS (28 LBR, 46 2-BR)    |          |              |
| BUILDING COVERAGE     | 4.37%                         |          |              |
| F & B                 | 16.8.1                        |          |              |
| STREET & SANITARY     |                               |          |              |
| REQUIRED              | 411 SPACES                    |          |              |
| PROPOSED              | STREET                        | MANHOLES | 1681 MANHOLE |
| UNCOVERED             | 200                           | (25)     | (11)         |
| CANPOUT (10%)         | 72                            | (10)     | (15)         |
| ATTACHED GARAGE (10%) | 72                            | (2)      | -            |
| ATTACHED GARAGE (10%) | 72                            | (2)      | -            |
| CLOSED CURB           | 15                            | (10)     | (13)         |
| TOTAL                 | 411 SPACES                    |          |              |
| PERVIOUS              | 267,531,122 SQ FT (54.0%)     |          |              |
| IMPERVIOUS            | 238,676,876 SQ FT (46.0%)     |          |              |
| PERCENTAGE REQUIRED   | 238,676,876 SQ FT (46.0%)     |          |              |
| PERCENTAGE REQUIRED   | 238,676,876 SQ FT (46.0%)     |          |              |
| PERCENTAGE REQUIRED   | 238,676,876 SQ FT (46.0%)     |          |              |



06.12.2026

**PRELIMINARY  
DRAWINGS**  
NOT FOR CONSTRUCTION

**Cross**

**ARCHITECT:**  
CROSS ARCHITECTS, PLLC  
879 JUNCTION DRIVE  
ALLEN, TEXAS 75013  
P: 972.398.6644  
[WWW.CROSSARCHITECTS.COM](http://WWW.CROSSARCHITECTS.COM)

THE AVENUE  
WAXAHACHIE, TEXAS

06.12.2028

25087

## REVISIONS

NO      DATE

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REVISION

SPELTZ NUMBER

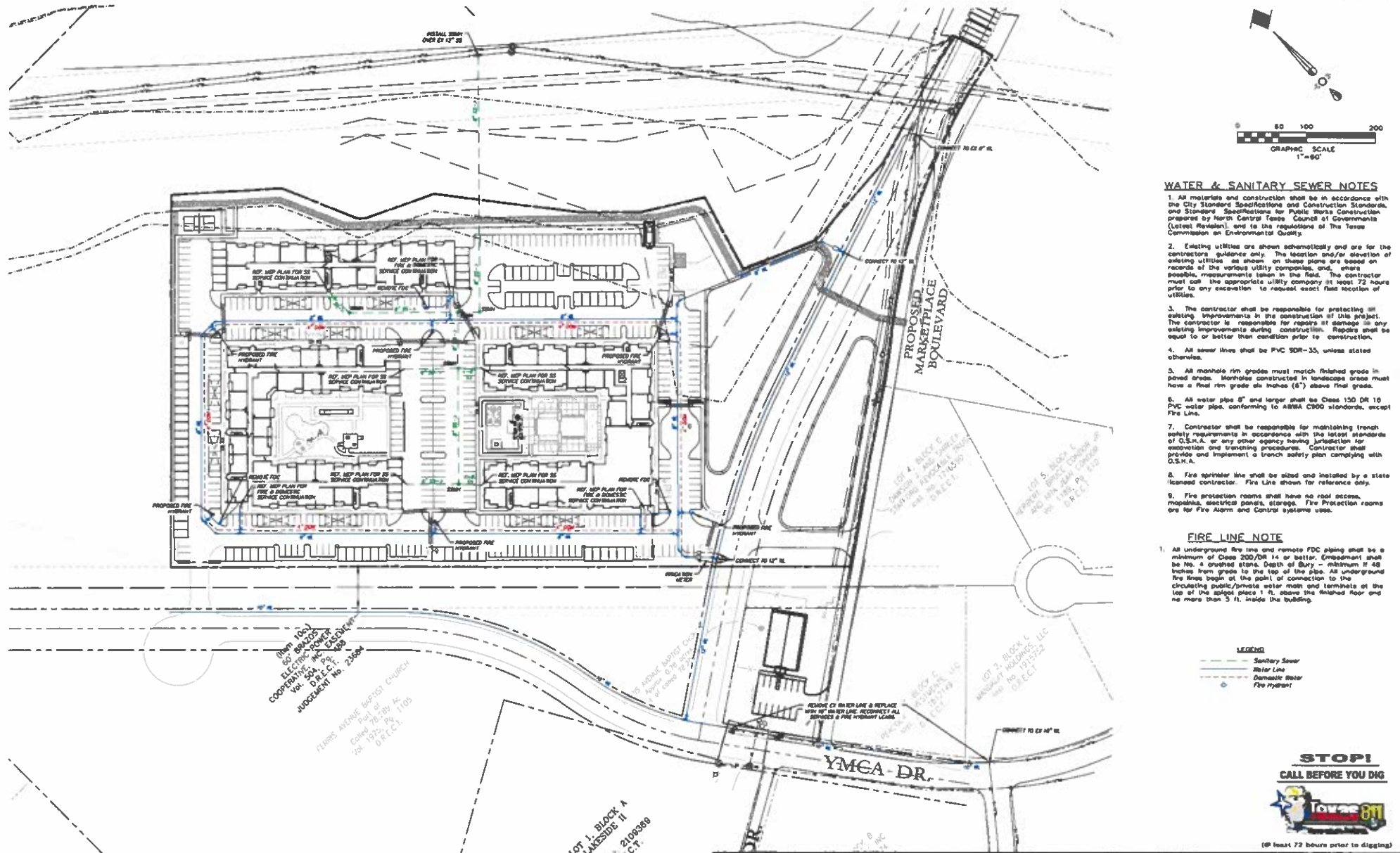
A10

## THE

### SITE ADDRESS PLAN

© 2000 Blackwell Science Ltd, *Journal of Internal Medicine* 247: 353–360

(14)



|                        |   |                                  |
|------------------------|---|----------------------------------|
| STATE OF TEXAS         | § | <u>DEVELOPMENT AGREEMENT FOR</u> |
|                        | § | <u>THE AVENUE APARTMENTS PD</u>  |
| <u>COUNTY OF ELLIS</u> | § |                                  |

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

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

**WHEREAS**, Developer is developing in the City a Multi-Family Apartment Community on approximately 12.642 acres of land generally located at 1761 N US Highway 77, Parcel Number 186874 in the City (the "Property"), and a legal description and depiction of the Property is attached hereto as Exhibit A and incorporated by reference; and

**WHEREAS**, the foregoing Property was rezoned by the City Council on or about September 21, 2026, when the City Council approved a (Planned Development) for the Property, contained in Ordinance No. \_\_\_\_\_, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer's reasonable investment-backed expectations in the Development, as may be amended, and as more fully described herein.

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

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

**2. Pedestrian Trail.** Developer agrees and acknowledges that Developer shall construct and continually maintain, at no expense to City, the 10' pedestrian trail referenced in Exhibit D, will not be dedicated to the City, will be accessible to the general public, and will be located within a pedestrian access easement, which easement Developer shall cause to be recorded in the official public records of Ellis County, Texas, with a copy of the recorded easement provided to the City. Further, Developer and City

agree and acknowledge that no certificates of occupancy for any structure constructed on the Property shall be issued by the City until and unless the aforementioned 10' pedestrian trail has been constructed.

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

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

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

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

Developer hereby releases the City from any and all liability under § 212.904 of the Texas Local Government Code, as amended, regarding or related to the cost of those municipal infrastructure requirements imposed by this Agreement.

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

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

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

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

If to Developer:       HighPark Capital, LLC  
4514 Travis Street, Suite #212  
Dallas, TX 75205  
Attention: Patrick McGee

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

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

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

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

14. **Authority to Execute.** This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The City warrants and represents that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The City Council hereby authorizes the City Manager of the City to execute this Agreement on behalf of the City.

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

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

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

that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

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

18. **Effect of Recitals.** The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

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

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

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

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

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

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

DRAFT

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 \_\_\_\_\_, 202\_\_, by Ricky Boyd, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

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

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

(15)

**DEVELOPER:**

HighPark Capital, LLC, a Texas limited liability company

By: \_\_\_\_\_  
Name: Jeff Williams  
Title: CEO \_\_\_\_\_

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

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

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

(15)

**EXHIBIT A**

**(Property Legal Description)**

Property Description: Ellis County Appraisal District Parcel Number 186874.

DRAFT

|

(15)

**EXHIBIT B**

**(Building Materials/Elevations)**

DRAFT



## Memorandum

To: Honorable Mayor and City Council  
From: Jason Watson, Senior Director of Building and Community Services  
Thru: Ricky Boyd, City Manager *RB*  
Date: September 21, 2026  
Re: Article XIII, Substandard Structures – 115 Elder Street

---

**Motion:** "I move to take no action regarding a substandard structure at 115 Elder Street."

**Item Description:** Consider taking no further action regarding the substandard structure matter at 115 Elder Street.

**Item Summary:** The matter concerning the substandard structure at 115 Elder Street was previously presented to City Council pursuant to Section 8-61 of the Code of Ordinances. Since that time, the responsible party has voluntarily demolished the structure and addressed the conditions that gave rise to the proceeding.

Accordingly, the action previously requested of City Council is no longer necessary, and Staff recommends that Council take no further action on the matter.

**Fiscal Impact:** None.



(17)

## Memorandum

To: Honorable Mayor and City Council  
From: Jason Watson, Senior Director of Building and Community Services  
Thru: Ricky Boyd, City Manager *RB*  
Date: September 21, 2026  
Re: Article XIII, Substandard Structures – 316 Wyatt Street

---

**Motion:** "I move to acknowledge compliance with the City Council order for demolition and debris removal at 316 Wyatt Street and close the matter with no further action required.."

**Item Description:** Consider taking no further action regarding the substandard structure matter at 316 Wyatt Street.

**Item Summary:** City Council previously issued an order pursuant to Section 8-61 of the Code of Ordinances requiring the demolition of the substandard structure and removal of debris at 316 Wyatt Street.

Since issuance of the order, the responsible party has voluntarily demolished the structure and addressed the conditions subject to the order. The requirements of the order have therefore been satisfied, and no further enforcement action by the City is necessary.

**Fiscal Impact:** None.



## Memorandum

To: Honorable Mayor and City Council

From: Ricky Boyd, City Manager *RB*

Thru: NA

Date: September 21, 2026

Re: Guaranteed Maximum Price (GMP) Contract for the City's Central Offices

---

**Recommended Motion:** "I move to approve a contract with Key Construction for the reconstruction of the City's Central Offices located at 820 Ferris Avenue for the Guaranteed Maximum Price of \$11,773,333 and authorize the Mayor and/or City Manager to execute all documents."

**Item Description:** A contract with Key Construction for the reconstruction of the City's Central Offices located at 820 Ferris Avenue for the GMP of \$11,773,333.

**Item Summary:** Key Construction, the Construction Manager at Risk (CMAR), recently performed a thorough bid process to secure the subcontractors needed for the reconstruction of the City's Central Offices located at 820 Ferris Avenue. On July 14, 2026, Key Construction provided staff with an Initial GMP of \$12,242,930. On July 21, 2026, staff met with Key Construction and RBDR (the architect for the project) to perform a value engineering (VE) exercise. As a result of this process, Key Construction delivered a GMP of \$11,995,085. After Council continued the GMP on August 3, 2026 to September 21, 2026, Key Construction completed the remaining VE exercise to provide a Final GMP of \$11,773,333.

Staff recommends approval of a Final GMP contract for \$11,773,333 with Key Construction to reconstruct the City's Central Offices.

**Fiscal Impact:** The proposed Final GMP in the amount of \$11,773,333 is included in the 2026 bond issuance that was approved on August 3, 2026.



## Memorandum

To: Honorable Mayor and City Council

From: Dustin Deel, Director of Administrative Services

Thru: Ricky Boyd, City Manager *RB*

Date: September 21<sup>th</sup>, 2026

Re: Consider Approval of a Professional Services Agreement and Supplemental Appropriation for Mid-Way Regional Airport Box Hangar Development

---

**Recommended Motion:** "I move to approve a supplemental appropriation of \$143,253 to the Mid-Way Regional Airport budget and a Professional Services Agreement with KSA Engineers, Inc. for design and bidding services associated with the Mid-Way Regional Airport Box Hangar Development and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approval of a supplemental appropriation of \$143,253 to the Mid-Way Regional Airport budget and a Professional Services Agreement with KSA Engineers, Inc. for design and bidding services associated with the proposed Box Hangar Development at Mid-Way Regional Airport.

**Item Summary:** On June 4, 2026, the Waxahachie and Midlothian City Councils met in a Joint City Council Session to discuss future development at Mid-Way Regional Airport. During the meeting, both Councils directed Airport staff to proceed with engineering for the proposed development of additional box hangars at the Airport.

In accordance with that direction, KSA Engineers, Inc. has submitted a professional services proposal for the design and bidding phases of the project. The proposed development consists of additional box hangars, associated taxiway and apron pavement, vehicle parking, electrical service, utility

infrastructure, and related site improvements. The final configuration will be determined during the pre-design phase.

(19)

The professional services agreement includes project administration, geotechnical investigation, topographic surveying, site plan development, civil/site and electrical design, preparation of construction plans and specifications, an opinion of probable construction cost, and bidding assistance. The total professional services fee is \$143,253, with an anticipated schedule of approximately 22 weeks for pre-design, design, and bidding. Construction phase services are not included in this agreement and would be considered separately as the project advances.

At the June 4, 2026 Joint City Council Session, the anticipated total project cost was presented at approximately \$4 million. This planning-level estimate is intended to account for design, construction of the hangars, associated pavement, site improvements, utility infrastructure, and other project-related costs. The actual project cost will be refined as design progresses and will be presented to both City Councils for consideration prior to proceeding with construction. Project costs are anticipated to be shared equally between the Cities of Waxahachie and Midlothian.

Because the City of Waxahachie administers the Mid-Way Regional Airport budget, a supplemental appropriation of the full contract amount is required. The cost of the professional services agreement will be shared equally between Waxahachie and Midlothian, with each City contributing 50 percent of the cost, or \$71,627 each.

Staff recommends approval.

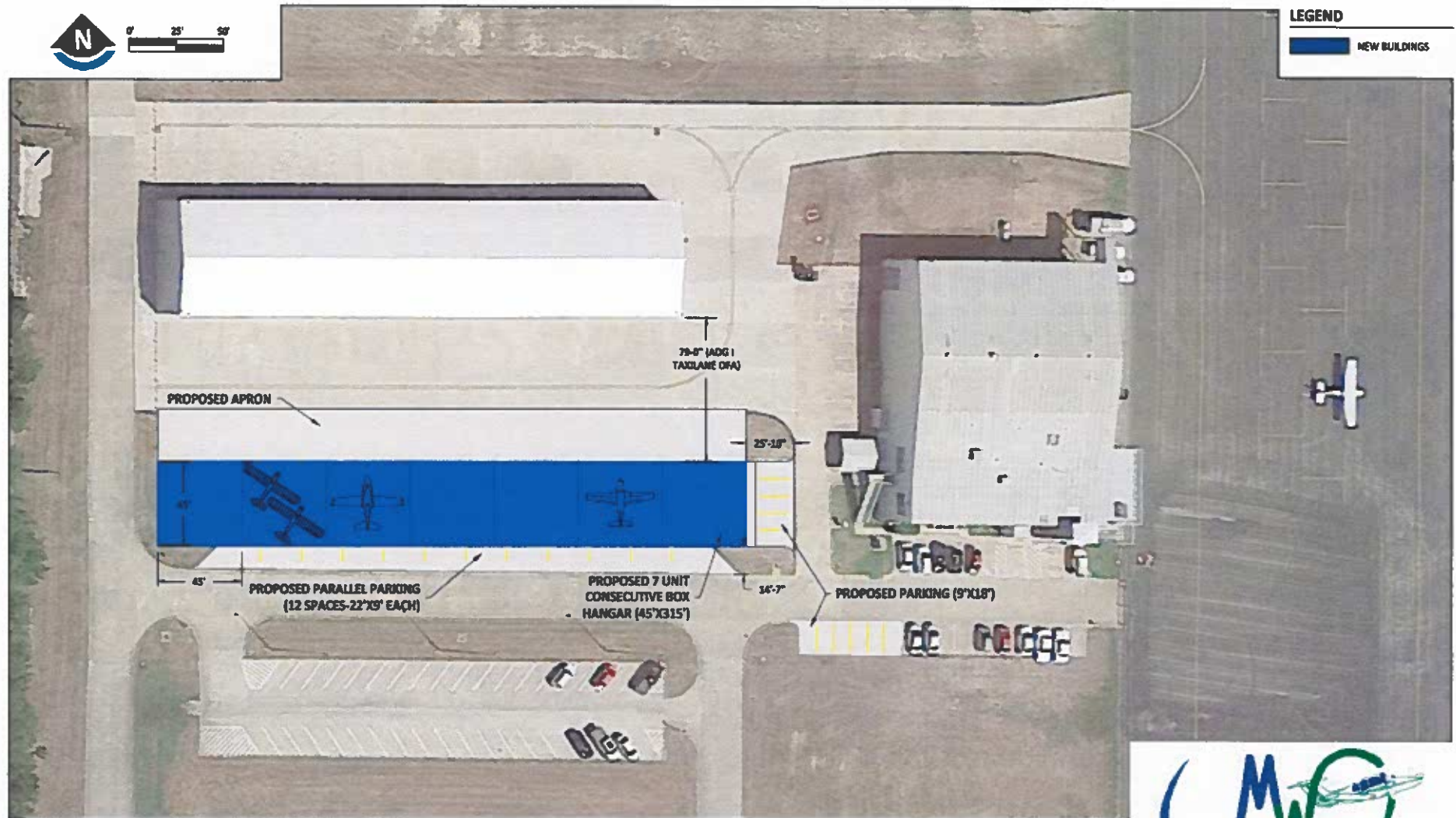
**Fiscal Impact:** A supplemental appropriation of \$143,253 is required in the Mid-Way Regional Airport budget to fund the professional services agreement. The Cities of Waxahachie and Midlothian will share the cost equally, with each City contributing \$71,627. Waxahachie's share of the agreement will be funded from General Fund reserves.

(19)

**KSA**  
KANSAS STATE AIRPORTS

LEGEND

NEW BUILDINGS



**Exhibit 1.1 - Alternate Airport Layout -Alternate 1**



**Mid-Way Regional Airport (KJWY)**

(20)



## Memorandum

To: Honorable Mayor and City Council  
From: Gumaro Martinez, Director of Parks & Recreation  
Thru: Ricky Boyd, City Manager *RB*  
Date: September 21, 2026  
Re: Consider Lions Park Improvements and Professional Services Agreement

---

### **Motion:**

**Artificial Turf Option:** "I move to approve the artificial turf field project as presented by staff and approve a professional service agreement with CEI Engineering Associates, Inc. for an amount not to exceed \$592,515.50 and authorize the City Manager to execute all necessary documents."

**-or-**

**Natural Grass Option:** "I move to approve the natural grass turf field project as presented by staff and approve to re-engage Kimley-Horn for the remainder of their professional service agreement for an amount not to exceed \$219,554.90 and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider the Lions Park Improvements as presented by staff which include two options: (1) 7.8 acres of artificial turfed fields and other park improvements or (2) 22.5 acres of natural grass turfed flex fields and other park improvements. Additionally, consider approving the respective professional service agreements for either option as outlined in the motions.

**Item Summary:** See attached presentation (Exhibit – 1) for project details and cost analysis.

**Fiscal Impact:** The project will be funded through a \$5.25M - 2025 CO Bond General, \$369,555 from the General Fund and WCDC Fund, and a pledge of \$5.8M from the WCDC Fund. The total budget for the project is \$11,419,555. (20)

(20)

Exhibit - 1

# Lions Park Improvements

City Council Meeting

September 21, 2026



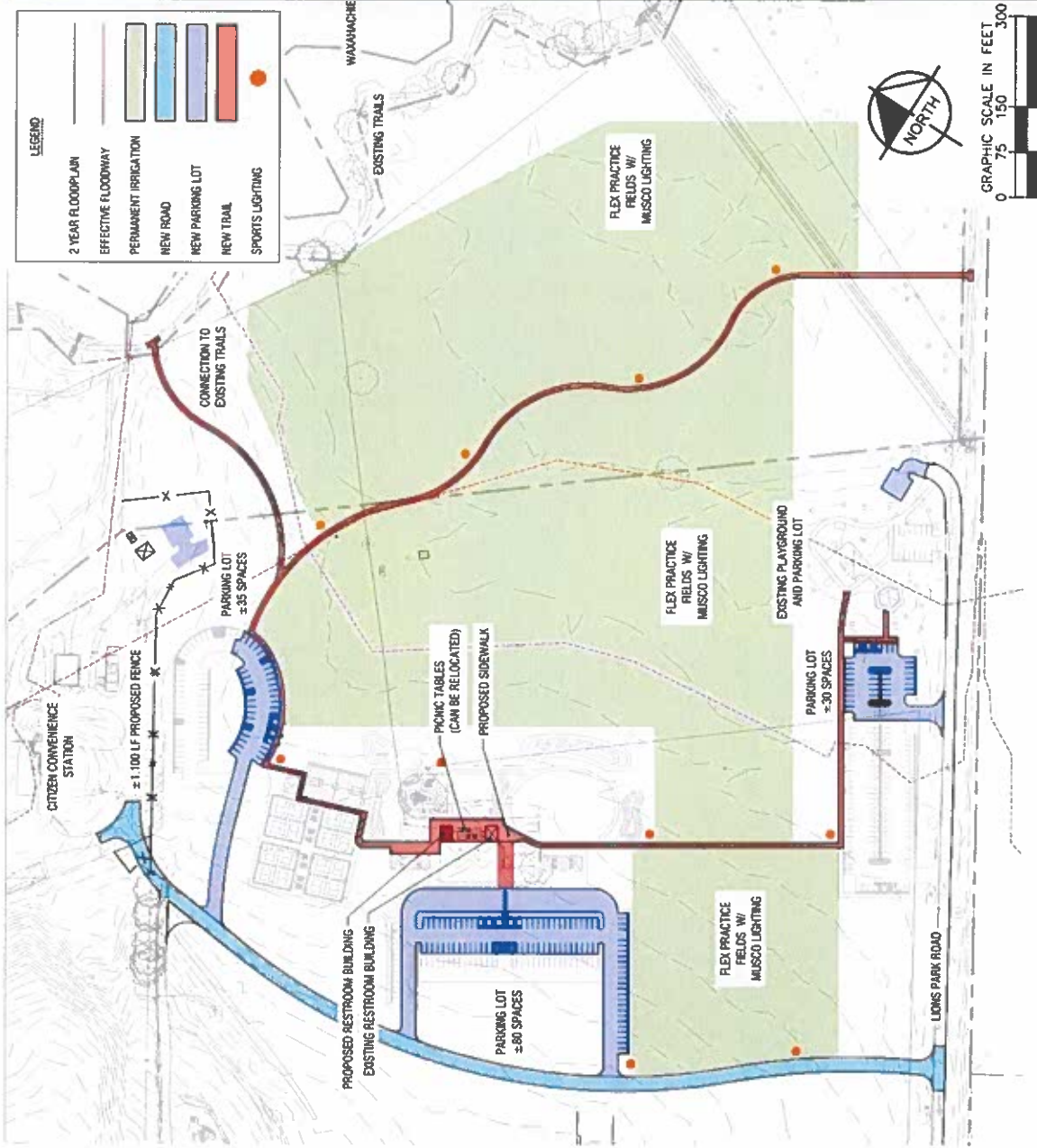
(20)

## Funding Sources

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- 2025 CO Bond General: \$5,250,000
- General Fund & WCDC Fund: \$369,555 (Remaining Design & Engineering Funds)
- Pledge from WCDC Fund: \$5,800,000
- Total Available Funding: \$11,419,555

(20)



# Natural Grass Option

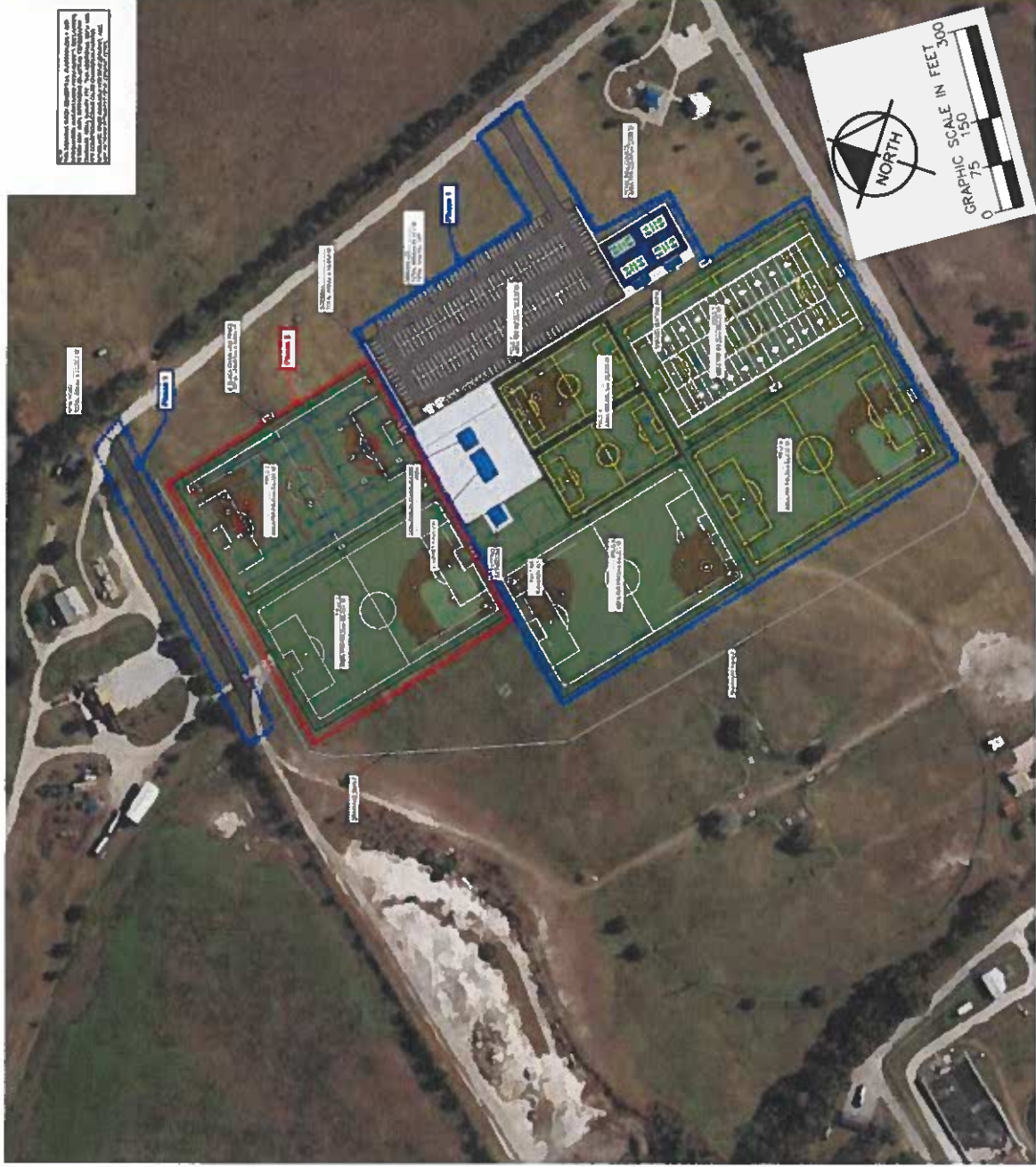
## BASE BID: ~ \$10.4 M

- 22.5 Acres of Practice Flex Fields
- 100% Design Ready for Bidding (pending internal review)
- Professional Services Cost \$219,555 (incurred YTD \$630K)
- Bidding & Construction Phase 12 - 15 Months
- Concrete Trail (~ 8' Wide)
- Vehicular Concrete Drive (to Convenience Station)
- 183 Parking Spaces (North, West, South)
- Restroom pad and utility connections (NOT the actual bldg.)
- Site Furnishing: Benches, Picnic Tables, Trash Receptacles
- Seed for Practice Fields
- Canopy Trees screening
- Irrigation (Practice Fields)
- Fence Improvements (Convenience Station & Park)
- Removal/Relocate of existing Musco Lights
- Musco Lighting (Practice Fields)
- Franchise Utility Relocation

## Bid Alternates : ~ \$4.0 M

- Parking Expansions - \$250,887
- Community Space - \$1,062,233
- Basketball Court Area - \$829,416
- Pickleball Court Area - \$690,333
- Playground - \$634,166
- Restroom Bldg. - \$350,000
- Conv. Station Ornamental Fencing - \$141,750

(20)



## Artificial Turf Option

### BASE BID: ~ \$10.1 M (PH1)

- 7.85 Acres of Turf Fields (3 Regular & 2 Smaller)
- Engineering Costs - \$530,000
- Design & Engineering Phase 6 Months
- Bidding & Construction Phase 6-8 Months
- New Drive to Spoils Yard
- 257 Parking Spaces (Concrete)
- Sidewalk Connections
- Drainage & Erosion Improvements
- Restroom - Concession Stand Building
- Covered Pavillion
- Playground Improvements
- Lighting and Electrical Improvements
- 8' Chain Link Black Vinyl Fence

### Bid Alternates: ~ \$1.1 M\*

- Football Field Shock Pad- \$160,000
- Cooling Infill & Water Cannons - \$753,000
- 4 Pickleball Courts & Amenities - \$233,000
- \* - includes \$62K design & eng. costs

(20)

# Initial & Ongoing Operational Costs

Assumptions:

- Capital Project Cost is \$11.4M

- 3% inflation rate

|         | Natural Grass<br>Option - M&O Costs | Replacement<br>Cost - Equipment<br>(10yr life) |
|---------|-------------------------------------|------------------------------------------------|
| Year 1  | 518,666                             |                                                |
| Year 2  | 268,116                             |                                                |
| Year 3  | 276,159                             |                                                |
| Year 4  | 284,444                             |                                                |
| Year 5  | 292,978                             |                                                |
| Year 6  | 301,767                             |                                                |
| Year 7  | 310,820                             |                                                |
| Year 8  | 320,145                             |                                                |
| Year 9  | 329,749                             |                                                |
| Year 10 | 339,641                             | 250,000                                        |
| Year 11 | 349,831                             |                                                |
| Year 12 | 360,325                             |                                                |
| Year 13 | 371,135                             |                                                |
| Year 14 | 382,269                             |                                                |
| Year 15 | 393,737                             |                                                |
| Year 16 | 405,550                             |                                                |
| Year 17 | 417,716                             |                                                |
| Year 18 | 430,247                             |                                                |
| Year 19 | 443,155                             |                                                |
| Year 20 | 456,450                             | 335,979                                        |
| Year 21 | 470,143                             |                                                |
| Year 22 | 484,247                             |                                                |
| Year 23 | 498,775                             |                                                |
| Year 24 | 513,738                             |                                                |
| Year 25 | 529,150                             |                                                |
| Year 26 | 545,025                             |                                                |
| Year 27 | 561,375                             |                                                |
| Year 28 | 578,217                             |                                                |
| Year 29 | 595,563                             |                                                |
| Year 30 | 613,430                             | 451,528                                        |
|         | <b>\$ 12,642,563</b>                | <b>\$ 1,037,507</b>                            |

|             |                      |
|-------------|----------------------|
| Yrs 1 - 10  | \$ 3,492,485         |
| Yrs 11 - 20 | \$ 4,346,394         |
| Yrs 21 - 30 | \$ 5,841,191         |
|             | <b>\$ 13,680,070</b> |

|         | Artificial Turf<br>Option - M&O Costs | Replacement<br>Cost - Artificial<br>Turf (10yr life) | Replacement<br>Cost - Artificial<br>Turf (15yr life) | Price/SF |
|---------|---------------------------------------|------------------------------------------------------|------------------------------------------------------|----------|
| Year 1  | 255,689                               |                                                      |                                                      |          |
| Year 2  | 216,039                               |                                                      |                                                      |          |
| Year 3  | 222,520                               |                                                      |                                                      |          |
| Year 4  | 229,196                               |                                                      |                                                      |          |
| Year 5  | 236,072                               |                                                      |                                                      |          |
| Year 6  | 243,154                               |                                                      |                                                      |          |
| Year 7  | 250,448                               |                                                      |                                                      |          |
| Year 8  | 257,962                               |                                                      |                                                      |          |
| Year 9  | 265,701                               |                                                      |                                                      |          |
| Year 10 | 273,672                               | 2,564,408                                            |                                                      | 7.50     |
| Year 11 | 281,882                               |                                                      |                                                      | 7.73     |
| Year 12 | 290,338                               |                                                      |                                                      | 7.96     |
| Year 13 | 299,049                               |                                                      |                                                      | 8.20     |
| Year 14 | 308,020                               |                                                      |                                                      | 8.44     |
| Year 15 | 317,261                               |                                                      | 2,972,851                                            | 8.69     |
| Year 16 | 326,778                               |                                                      |                                                      | 8.96     |
| Year 17 | 336,582                               |                                                      |                                                      | 9.22     |
| Year 18 | 346,679                               |                                                      |                                                      | 9.50     |
| Year 19 | 357,080                               |                                                      |                                                      | 9.79     |
| Year 20 | 367,792                               | 3,446,349                                            |                                                      | 10.08    |
| Year 21 | 378,826                               |                                                      |                                                      | 10.38    |
| Year 22 | 390,190                               |                                                      |                                                      | 10.69    |
| Year 23 | 401,896                               |                                                      |                                                      | 11.01    |
| Year 24 | 413,953                               |                                                      |                                                      | 11.34    |
| Year 25 | 426,372                               |                                                      |                                                      | 11.68    |
| Year 26 | 439,163                               |                                                      |                                                      | 12.04    |
| Year 27 | 452,338                               |                                                      |                                                      | 12.40    |
| Year 28 | 465,908                               |                                                      |                                                      | 12.77    |
| Year 29 | 479,885                               |                                                      |                                                      | 13.15    |
| Year 30 | 494,282                               | 4,631,605                                            | 4,631,605                                            | 13.55    |
|         | <b>\$ 10,024,724</b>                  | <b>\$ 10,642,362</b>                                 | <b>\$ 7,604,456</b>                                  |          |

|             |                      |
|-------------|----------------------|
| Yrs 1 - 10  | \$ 5,014,860         |
| Yrs 11 - 20 | \$ 6,677,809         |
| Yrs 21 - 30 | \$ 8,974,417         |
|             | <b>\$ 20,667,086</b> |

# Initial & Ongoing Operational Cost

## Breakdown

| Enhancement Title                           | Initial Cost      | Ongoing           |
|---------------------------------------------|-------------------|-------------------|
| <b>Natural Grass Option - M&amp;O Costs</b> | <b>\$ 518,666</b> | <b>\$ 268,116</b> |

### Description and Justification

Personnel - (1) Maint. Worker 1 position (class 4, step 5); Equipment (3 Mowers (96inch - 144inch), sprayers), handheld equipment / Uniforms / Miscellaneous Maintenance & Supplies, phone, water & electric utilities, fuel for equipment, and contracted chemical application, equipment maintenance

| INPUT HERE 1                  | Account Number | Account Name                                       | INPUT HERE 1     | ONE TIME          | RECURRING         | RECURRING         |
|-------------------------------|----------------|----------------------------------------------------|------------------|-------------------|-------------------|-------------------|
| 56100                         | 100-510-56100  | Supplies & Equipment                               | 250,000          |                   |                   |                   |
| 56102                         | 100-510-56102  | Supplies & Equip. Uniforms/City Labeled Clothing   | 550              | 1,200             | 1,200             | 1,200             |
| 56101                         | 100-510-56101  | Supplies & Equip. Chem/Janitorial/Lab/Medical/Tool |                  | 10,000            | 10,000            | 10,000            |
| 55150                         | 100-510-55150  | Phones, Pager's, Internet, Cable                   | 720              | 720               |                   |                   |
| 54101                         | 100-510-54101  | Utilities - Water                                  | 50,000           | 50,000            | 50,000            | 50,000            |
| 56202                         | 100-510-56202  | Gasoline & Oil for Vehicle/Equip                   | 2,500            | 2,500             | 2,500             | 2,500             |
| 56204                         | 100-510-56204  | Electricity                                        | 50,000           | 50,000            | 50,000            | 50,000            |
| 54230                         | 100-510-54230  | Lawn Care Services (City Owned)                    | 41,250           | 41,250            | 41,250            | 41,250            |
| 54321                         | 100-510-54321  | Maintenance, Improvements-Parks and Ballfields     | 25,000           | 25,000            | 25,000            | 25,000            |
| 54330                         | 100-510-54330  | Maintenance, Purchased Equipment                   | 10,000           | 10,000            | 10,000            | 10,000            |
| 55100                         | 100-510-55100  | Insurance & Bonds                                  | 4,404            | 4,404             | 4,404             | 4,404             |
| <b>Subtotal Non-Personnel</b> |                |                                                    | <b>\$250,550</b> | <b>\$ 195,074</b> | <b>\$ 195,074</b> | <b>\$ 195,074</b> |

### Full-Time Positions

| INPUT HERE 1 | Position Title (Full-Time) | # of FT  | SALARY        | INPUT HERE 1  | MONTHS | TOTAL  | Initial Cost  | Ongoing       |
|--------------|----------------------------|----------|---------------|---------------|--------|--------|---------------|---------------|
|              | Maintenance Worker 1       | 1        | 47,343        | 12            |        | 47,343 | 47,343        | 47,343        |
|              |                            |          |               |               |        |        |               |               |
|              |                            |          |               |               |        |        |               |               |
|              | <b>Subtotal Salary</b>     | <b>1</b> | <b>47,343</b> | <b>47,343</b> |        |        | <b>47,343</b> | <b>47,343</b> |

| Object Code                 | Account Number  | ONE TIME                | RECURRING        | RECURRING        |
|-----------------------------|-----------------|-------------------------|------------------|------------------|
| 51100                       | 100-510-51100   | Salaries                |                  | 47,343           |
| 51500                       | 100-510-51500   | Overtime                |                  |                  |
| 52300                       | 100-510-52300   | Clothing Allowance      |                  |                  |
| 52700                       | 100-510-52700   | Certification           |                  |                  |
| 52200                       | 100-510-52200   | Retirement - FICA       | 3,622            | 3,622            |
| 52501/2                     | 100-510-52501/2 | Retirement - TMRs/FR&R  | 8,309            | 8,309            |
| 52400                       | 100-510-52400   | Life & Health Insurance | 13,200           | 13,200           |
| 52600                       | 100-510-52600   | Worker's Comp Insurance | 568              | 568              |
| <b>Total Full-Time Cost</b> |                 | <b>\$ -</b>             | <b>\$ 73,042</b> | <b>\$ 73,042</b> |

### Part-Time Positions

| INPUT HERE 1 | Position Title (Part-Time) | # of PT  | SALARY      | INPUT HERE 1 | MONTHS | TOTAL | Initial Cost | Ongoing |
|--------------|----------------------------|----------|-------------|--------------|--------|-------|--------------|---------|
|              |                            |          |             |              |        |       |              |         |
|              |                            |          |             |              |        |       |              |         |
|              |                            |          |             |              |        |       |              |         |
|              | <b>Subtotal PT Salary</b>  | <b>0</b> | <b>0.00</b> | <b>0.00</b>  |        |       |              |         |

| Object Code                 | Account Number | RECURRING               | RECURRING   |
|-----------------------------|----------------|-------------------------|-------------|
| 51200                       | 100-510-51200  | Salaries - Part-time    |             |
| 52200                       | 100-510-52200  | Retirement - FICA       | 7,65%       |
| 52600                       | 100-510-52600  | Worker's Comp Insurance | 1,20%       |
| <b>Total Part-Time Cost</b> |                | <b>\$ -</b>             | <b>\$ -</b> |

| Enhancement Title                             | Initial Cost      | Ongoing           |
|-----------------------------------------------|-------------------|-------------------|
| <b>Artificial Turf Option - M&amp;O Costs</b> | <b>\$ 255,689</b> | <b>\$ 216,039</b> |

### Description and Justification

Personnel - (1) Maint. Worker II position (Class 6, step 5) / (2) Part-time Maint Workers I (class 4, step 5); Equipment (Groomer & Kubota UTV) / Uniforms / Miscellaneous Maintenance & Supplies, phone, water & electric utilities, gas for equipment

| INPUT HERE 1                  | Account Number | Account Name                                       | INPUT HERE 1     | ONE TIME         | RECURRING        | RECURRING        |
|-------------------------------|----------------|----------------------------------------------------|------------------|------------------|------------------|------------------|
| 56100                         | 100-510-56100  | Supplies & Equipment                               | 18,000           |                  |                  |                  |
| 56102                         | 100-510-56102  | Supplies & Equip. Uniforms/City Labeled Clothing   | 1,650            | 3,600            | 3,600            | 3,600            |
| 56101                         | 100-510-56101  | Supplies & Equip. Chem/Janitorial/Lab/Medical/Tool | 20,000           |                  |                  |                  |
| 55150                         | 100-510-55150  | Phones, Pager's, Internet, Cable                   | 10,000           | 10,000           | 10,000           | 10,000           |
| 54101                         | 100-510-54101  | Utilities - Water                                  | 720              | 720              | 720              | 720              |
| 56202                         | 100-510-56202  | Gasoline & Oil for Vehicle/Equip                   | 45,000           | 45,000           | 45,000           | 45,000           |
| 56204                         | 100-510-56204  | Electricity                                        | 350              | 350              | 350              | 350              |
| 55100                         | 100-510-55100  | Insurance & Bonds                                  | 15,000           | 15,000           | 15,000           | 15,000           |
| 54330                         | 100-510-54330  | Maintenance, Purchased Equipment                   | 9,662            | 9,662            | 9,662            | 9,662            |
| <b>Subtotal Non-Personnel</b> |                |                                                    | <b>\$ 39,650</b> | <b>\$ 85,332</b> | <b>\$ 85,332</b> | <b>\$ 85,332</b> |

### Full-Time Positions

| INPUT HERE 1 | Position Title (Full-Time) | # of FT  | SALARY        | INPUT HERE 1  | MONTHS | TOTAL  | Initial Cost  | Ongoing       |
|--------------|----------------------------|----------|---------------|---------------|--------|--------|---------------|---------------|
|              | Maintenance Worker II      | 1        | 52,195        | 12            |        | 52,195 | 52,195        | 52,195        |
|              |                            |          |               |               |        |        |               |               |
|              |                            |          |               |               |        |        |               |               |
|              | <b>Subtotal Salary</b>     | <b>1</b> | <b>52,195</b> | <b>52,195</b> |        |        | <b>52,195</b> | <b>52,195</b> |

| Object Code                 | Account Number  | ONE TIME                | RECURRING        | RECURRING        |
|-----------------------------|-----------------|-------------------------|------------------|------------------|
| 51100                       | 100-510-51100   | Salaries                |                  | 52,195           |
| 51500                       | 100-510-51500   | Overtime                |                  |                  |
| 52300                       | 100-510-52300   | Clothing Allowance      |                  |                  |
| 52700                       | 100-510-52700   | Certification           |                  |                  |
| 52200                       | 100-510-52200   | Retirement - FICA       | 3,993            | 3,993            |
| 52501/2                     | 100-510-52501/2 | Retirement - TMRs/FR&R  | 9,160            | 9,160            |
| 52400                       | 100-510-52400   | Life & Health Insurance | 13,200           | 13,200           |
| 52600                       | 100-510-52600   | Worker's Comp Insurance | 626              | 626              |
| <b>Total Full-Time Cost</b> |                 | <b>\$ -</b>             | <b>\$ 79,174</b> | <b>\$ 79,174</b> |

### Part-Time Positions

| INPUT HERE 1 | Position Title (Part-Time) | # of PT  | SALARY        | INPUT HERE 1  | MONTHS | TOTAL  | Initial Cost  | Ongoing       |
|--------------|----------------------------|----------|---------------|---------------|--------|--------|---------------|---------------|
|              | Maintenance Worker I       | 2        | 47,343        | 12            |        | 47,343 | 47,343        | 47,343        |
|              |                            |          |               |               |        |        |               |               |
|              |                            |          |               |               |        |        |               |               |
|              | <b>Subtotal PT Salary</b>  | <b>2</b> | <b>47,343</b> | <b>47,343</b> |        |        | <b>47,343</b> | <b>47,343</b> |

| Object Code                 | Account Number | RECURRING               | RECURRING        |
|-----------------------------|----------------|-------------------------|------------------|
| 51200                       | 100-510-51200  | Salaries - Part-time    | 47,343           |
| 52200                       | 100-510-52200  | Retirement - FICA       | 7,65%            |
| 52600                       | 100-510-52600  | Worker's Comp Insurance | 1,20%            |
| <b>Total Part-Time Cost</b> |                | <b>\$ 51,533</b>        | <b>\$ 51,533</b> |

(20)

(20)

# Questions?



WAXAHACHIE<sup>TX</sup>