

City Council
July 21, 2025

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, July 21, 2025 at 7:00 p.m.

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

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

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

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

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

4. Announcements/Presentations

a. Introduce Honorary Council Member

There was not an Honorary Council Member in attendance.

5. Public Comments

Ira Tenpenny, 109 Rosa, Waxahachie, Texas, explained the importance of keeping fire hydrants clear to support quick fire department response. Key priorities include visibility, reflectors for night use, and a mapping system to locate hydrants. Of these, visibility is the most critical, as overgrowth can delay emergency access. He urged that any city worker who sees an obstructed hydrant should clear it immediately to avoid response delays

Vanessa Voldan, 301 Cynisca, Waxahachie, Texas, noted she feels unheard on urgent animal welfare issues and urges more immediate solutions, such as an on-call vet and city support for spay/neuter programs. She stressed the need to openly address euthanasia to prevent prolonged animal suffering and propose a committee to evaluate long-term shelter animals for adoption or humane outcomes. She shared personal experiences of rescuing animals due to lack of city response and call for greater community involvement and resources to support overwhelmed animal control efforts.

Tiki Walker Smith, 107 Coyote Run, Waxahachie, Texas, member of the Waxahachie Animal Care Advisory Committee, shared concerns about the city's current animal care efforts, noting that while not fully informed on the shelter budget, she believes the city urgently needs a proper animal shelter. Based on social media and community feedback, she observes that many residents don't know where to turn for help with animals in need. Recalling a past experience where a city-partnered vet promptly treated poisoned puppies, she stressed the importance of having a dedicated veterinary partner available for emergencies. Without such resources, citizens are left with few options, often resulting in animals suffering due to inaccessibility and lack of clear direction.

Nicole Vonderheide, 6221 Siena Circle, Midlothian, Texas, member of the Pet Coalition of Ellis County, shared the positive impact their organization has made since launching in October 2024, including responding to 585 requests for help and distributing nearly 14 tons of pet food. They've assisted with medical care, low-cost vaccine clinics, and finding placements for animals, including strays and those in critical condition, while building partnerships with rescues and shelters across the region. Although they haven't yet partnered with Waxahachie, they hope to collaborate on services like vaccine clinics, microchipping, food pantries, and a low-cost heartworm prevention program. Their goal is to expand support for both animals and residents in need, and they invite the city to join these efforts.

Jeffery Jones, 1768 Riviera Drive, Waxahachie, Texas, voiced continued opposition to the "Cotton Picking Day" event. He highlighted a lack of diversity on the City Council and emphasized the importance of Diversity, Equity, and Inclusion (DEI), arguing that it has not harmed the city but reflects its rich cultural history and community. He urged the city to evaluate DEI's role more seriously and expressed concern about being overlooked for board positions despite applying. While acknowledging positive experiences in Waxahachie and appreciation for its growing, diverse population, he called for greater inclusivity and representation in local leadership.

Tammy Garfillo, 240 Park Place Blvd., Waxahachie, Texas, urged adopting a "Finder to Foster" program to address the shortage of fosters, noted poor enforcement of pet licensing and microchipping, and called for stronger action against increasing animal dumping. She also suggested a fee and volunteer requirement for surrendering pets to raise awareness of shelter realities.

6. Consent Agenda

- a. Minutes of the City Council meeting of July 7, 2025
- b. Minutes of the City Council work session of July 7, 2025
- c. Minutes of the City Council special meeting of July 11, 2025
- d. Minutes of the City Council special meeting of July 14, 2025
- e. Event application for Hachie Uncorked to be held November 15, 2025 in Downtown Waxahachie
- f. Resolution to deny rate increase request by Oncor Electric Delivery Company, LLC

RESOLUTION NO. 1382

RESOLUTION OF THE CITY OF WAXAHACHIE SUSPENDING THE JULY 31, 2025 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY’S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE

Action:

Tres Atkins moved to approve all items on the Consent Agenda. Motion was seconded by Travis Smith and carried unanimously (4-0).

7. Public Hearing on a request by Gilberto Escobedo, Jr., for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 106 Ryburn Street (Property ID 278478) – Owner(s): LGE Investment Homes, LLC (ZDC-50-2025)

Senior Director of Planning Trenton Robertson presented the Item. The applicant requests a SUP for short-term rental use at 106 Ryburn Street because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 1,699 square feet, with four (4) bedrooms, two (2) bathrooms, one (1) one-half bathroom and enough improved surface to accommodate parking for a maximum of two (2) vehicles. The subject property is situated on an approximately 0.12 acres (5,227 square feet) lot. The applicant did advertise the subject property as a short-term rental, but did not operate as a short-term rental and has not been paying local hotel occupancy taxes. Staff identified the advertisement and contacted the applicant to let him know that he is in violation of Section 3.27 of the City’s Zoning Ordinance. The applicant then removed the advertisement immediately. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on April 2, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls. The applicant's local emergency contact is located approximately nine (9) miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 78 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City’s Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

At the time of the publishing of this staff report, a total of six (6) letters of support and no letters of opposition were received by staff. Six (6) of the letters of support and two (2) letters of opposition received are within the 200’ buffer.

Mayor Wallace opened the Public Hearing at approximately 7:31 p.m.

Ira Tenpenny, 109 Rosa Street, Waxahachie, Texas, expressed concerns with parking and accessibility for a fire apparatus.

There being no others to speak for or against ZDC-50-2025, Mayor Wallace closed the Public Hearing at approximately 7:33 p.m.

Gilberto Escobedo, Jr., applicant, requested approval. He explained that a camera monitoring system is in place to ensure no more than two cars are parked on the property.

Council Member Travis Smith asked if the applicant would agree to limit occupancy to eight (8) due to limited parking, and Mr. Escobedo expressed no objection.

8. Consider proposed Ordinance approving ZDC-50-2025

ORDINANCE NO. 3642

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY 3 (SF-3) ZONING DISTRICT LOCATED AT 106 RYBURN STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.12 ACRES KNOWN AS PROPERTY ID 278478, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-50-2025, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, and amending to limit to a maximum capacity of eight (8), authorizing the City Manager and/or Mayor to execute all documents accordingly.

Chris Wright requested to amend the motion to include that the owner agreed to the maximum limit of occupancy. Travis Smith accepted the amendment.

Travis Smith moved to approve ZDC-50-2025, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, and amending, per the owner's agreement, to limit the capacity to a maximum of eight (8), authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).

9. Public Hearing on a request by Christopher Childs, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 710 Perry Avenue (Property ID 174044) – Owner(s): Christopher Childs (ZDC-71-2025)

Mr. Robertson presented the Item. The applicant requests a SUP for a STR use at 710 Perry Avenue because it is located within the SF-3 zoning district. Per the City's Zoning Ordinance, a STR use located within the SF-3 zoning district requires an approved SUP. The subject property consists of

a primary structure of approximately 2,377 square feet, built in 2021 with three (3) bedrooms, two (2) bathrooms, and enough improved surface to accommodate for three (3) parking spaces. The subject property is situated on approximately 0.086 acres (3,746 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, the applicant has not been paying local hotel occupancy taxes. Currently, the applicant has the subject property advertised on AirBNB as available to lease as soon as August 1, 2025.

The applicant purchased the subject property in February 2025. The applicant began attempts to submit a SUP application for the STR on April 30, 2025, and completed the application process on May 23, 2025. During this period, the applicant attempted to register the STR using the City's STR compliance vendor (GovOS); but was advised that SUP approval is required prior to registration.

During the review of the SUP application, staff identified a listing of the subject property on AirBNB and reached out to the applicant to note that advertising prior to receiving an approved SUP and registering the STR is prohibited by the Waxahachie Zoning Ordinance. The applicant was directed to complete the SUP application approval process and STR registration process before advertising. At that time, the applicant updated his listing to be available for booking on January 1, 2026 and stated that he had not utilized the property as a STR during the time the property was available on AirBNB.

At the time of the posting of this staff report, the listing on AirBNB is still live and available, but booking is now available as soon as August 1, 2025 as a long-term rental of 30 or more days. Additionally, when the booking for the subject property was identified, Staff discovered that the applicant has advertisements on AirBNB for two separate bedrooms as long-term rentals located at his homestead on 237 Lillian Lane. 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 within the past twelve months. The applicant's local emergency contact is located approximately six (6) miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 89 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of two (2) letters of opposition and six (6) letters of support were received by staff, with six (6) letters of opposition and two (2) letters of support within 200' of the subject property.

Mayor Wallace opened the Public Hearing at approximately 7:41p.m.

There being no others to speak for or against ZDC-71-2025, Mayor Wallace closed the Public Hearing at approximately 7:41 p.m.

10. Consider proposed Ordinance approving ZDC-71-2025

ORDINANCE NO. 3643

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY 3 (SF-3) ZONING DISTRICT LOCATED AT 710 PERRY AVENUE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.086 ACRES KNOWN AS PROPERTY ID 174044, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-71-2025, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Chris Wright and carried unanimously (4-0).

11. Public Hearing on a request by Jennifer Smolka, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 821 Williams Street (Property ID 171711) – Owner(s): Smolka Holdings LLC Series C (ZDC-83-2025)

Mr. Robertson presented the Item. The applicant requests a SUP for short-term rental use at 821 Williams Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,459 square feet, with two (2) bedrooms, one (1) bathroom, and enough improved surface to accommodate parking for a maximum of two (2) vehicles. The subject property is situated on an approximately 0.31 acres (13,329 square feet) lot. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on June 4, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered a disturbance-related call that occurred near outside of the subject property and not involving the subject property.

The applicant's local emergency contact is located approximately eight (8) miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 100 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of four (4) letters of support and six (6) letters of opposition were received by staff, with four (4) of the letters of support and six (6) letters of opposition received are within the 200' buffer.

Mayor Wallace opened the Public Hearing at approximately 7:45 p.m.

Those who spoke in opposition:
Ira Tenpenny, 109 Rosa, Waxahachie, Texas

There being no others to speak for or against ZDC-83-2025, Mayor Wallace closed the Public Hearing at approximately 7:46 p.m.

12. Consider proposed Ordinance approving ZDC-83-2025

ORDINANCE NO. 3644

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY 3 (SF-3) ZONING DISTRICT LOCATED AT 821 WILLIAMS STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.306 ACRES KNOWN AS PROPERTY ID 171711, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to recommend approval of ZDC-83-2025, a Specific Use Permit (SUP) for Short-Term Rental use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Travis Smith and carried unanimously (4-0).

13. Public Hearing on a request by Andy & Susan Ruebman for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Single Family-2 (SF-2) zoning district located at 407 Brown Street, (Property ID 171234) – Owner: Andy Ruebman & Susan Ruebman (ZDC-67-2025)

Mr. Robertson presented the Item. Applicants Andy and Susan Rueban requested approval. The applicant proposes a Specific Use Permit (SUP) to construct an addition to an already existing 500 square-foot accessory structure with an approximately 500 square-foot carport at 407 Brown Street. According to the Ellis County Appraisal District, the primary structure on the subject property is approximately 1,548 square feet. According to the Waxahachie Zoning Ordinance, single family residential structures located in a Single-Family-2 zoning district are limited to two (2) accessory structures. The subject property contains three (3) existing accessory structures. According to Section 5.07 of the Waxahachie Zoning Ordinance, the minimum side setback requirement for an accessory structure located within a SF-2 zoning district, is 5 feet (5'). The existing garage and proposed carport show a side setback of 3 feet (3') according to the applicant's site plan.

During the review process, staff and the applicant explored multiple options regarding their carport proposal in an effort to avoid the SUP process. The applicant is not wanting to tear down the existing garage and replace it with the proposed carport as to preserve the garage's historic nature. Additionally, the applicant did not want to attach the proposed carport to the house as to protect the existing home's historical significance.

The applicant proposes to utilize for the storage and protection of personal vehicles and household materials. According to the applicant's Operational Plan, the proposed carport will be similar in design to the existing garage, which will be architecturally complimentary to the garage and house, and will be consistent with the historical characteristics of the main structure. The applicant will not be extending the water and electrical services from the primary structure to the proposed accessory structure.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, twenty-four (24) notices were mailed to property owners within 200 feet of the request. Staff has received zero (0) letters of opposition, and fifteen (15) letters of support. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

The Planning and Zoning Commission's approval included a condition requiring one accessory structure to be removed *prior to the final inspection*, not before the permit is issued as currently stated. This timing is important because the applicant is temporarily storing items in the garage that will later be moved to the proposed carport. The design of the carport will match the detached garage and maintain the historic style of the home. Additionally, the proposed side setback for the carport will not exceed the existing garage's setback, and the neighboring property has submitted a letter supporting the request.

Mayor Wallace opened the Public Hearing at approximately 7:49 p.m.

There being no others to speak for or against ZDC-67-2025, Mayor Wallace closed the Public Hearing at approximately 7:49 p.m.

Councilman Smith asked if the accessory structure on the property needed to be removed or if it was still sound. Mr. Ruebman noted research showed it was once a chicken coop located behind the garage. Mr. and Mrs. Ruebman explained the structure is currently used for storage of historic materials salvaged during their year-and-a-half restoration of the garage and home. They considered connecting it to the garage but have yet to consult an engineer. They emphasized the carport design will match the historic style of the home and garage, using authentic materials, and noted the structure is hidden from the street and structurally sound. The Ruebmans shared their efforts to restore the property respectfully, enhance the neighborhood's appearance, and create community pride, while also needing the carport to protect their antique and everyday vehicles. They expressed appreciation for the Council's consideration and emphasized their commitment to preserving the home's historic character.

14. Consider proposed Ordinance approving ZDC-67-2025

ORDINANCE NO. 3645

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING SEVEN HUNDRED (700) SQUARE FEET USE WITHIN THE SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 407 BROWN STREET, BEING PROPERTY ID 171234, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1A, BLOCK 125 OF THE TOWN ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-67-2025, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, use within a Single Family-2(SF-2) zoning district, subject to the conditions of the staff report, striking the Planning & Zoning Commission recommendation, authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).

15. Public Hearing on a request by Ryan Blevins for a Specific Use Permit (SUP) for an Accessory Structure +700 square feet within a Single Family-1 (SF-1) zoning district located at 601 North Grand Avenue (Property ID 176840) – Owner(s): Thomas & Veronica Schaeffer (ZDC-74-2025)

Mr. Robertson presented the Item. The applicant requests a Specific Use Permit for an accessory structure exceeding 700 square feet. According to the Ellis County Appraisal District, the primary structure on the subject property is approximately 3,843 square feet. The subject property has three (3) existing accessory structures, with one structure exceeding 700 square feet, being used as a pool house, which was authorized via an SUP (Ordinance No. 3348) that was passed by City Council on November 7, 2022. Per the City of Waxahachie Zoning Ordinance, accessory structures exceeding 700 square feet requires an SUP to be approved by the City Council. The applicant has provided a Site Plan for the proposed accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance are being met.

The applicant proposes to partition the proposed accessory structure and utilize the structure for storage, a gym area, and a personal workshop. The accessory structure will not be accessible to vehicles or used to store vehicles. The proposed structure is comprised of corrugated Metal R Panel and a metal roof. According to the applicant's Operational Plan and Site Plan, the proposed structure will be accessed via a motorized gate that matches the existing fence, which is directly adjacent to the unimproved right-of-way "Sycamore Street." According to the applicant's electrical plans, electrical services to this accessory structure will be extended, while plumbing and water services are not proposed to be extended at this time. The applicant has provided an Operational Plan that confirms that this accessory structure will not be separately metered. Additionally, according to the applicant's site plan, it confirms that the accessory structure shall not be used for commercial purposes, shall not be used as a Short-Term Rental (STR), shall not be leased or sold separately from the primary home, and shall not be separately metered. In addition to the proposed accessory structure, the applicant is also proposing a concrete basketball court. Staff has confirmed that the proposed exterior lighting associated with the basketball court meets the City of Waxahachie's Zoning Ordinance as well as the City of Waxahachie's Light & Glare standards. Due to the location of the light fixtures, and their proximity to adjacent residential homes, the required shielding for these fixtures will be 360-degrees to prevent light pollution and glare.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. Staff has received zero (0) letters of support and zero (0) letters of opposition.

Mayor Wallace opened the Public Hearing at approximately 7:59 p.m.

There being no others to speak for or against ZDC-74-2025, Mayor Wallace closed the Public Hearing at approximately 7:59 p.m.

16. Consider proposed Ordinance approving ZDC-74-2025

ORDINANCE NO. 3646

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING SEVEN HUNDRED (700) SQUARE FEET USE WITHIN THE SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 601 NORTH GRAND AVENUE, BEING PROPERTY ID 176840, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1B, BLOCK 27 OF THE WEST END ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-74-2025, a Specific Use Permit (SUP) for accessory structures exceeding 700 square feet in combined floor area use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).

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

Mayor Wallace announced the Planning and Zoning Commission requested to continue the Public Hearing to address concerns regarding amenities and elevations.

Action:

Chris Wright moved to continue the Public Hearing for ZDC-174-2024 to the September 2, 2025 City Council meeting. Motion was seconded by Tres Atkins and carried unanimously (4-0).

18. Consider proposed Ordinance approving ZDC-174-2024

No action taken.

19. Public Hearing on a request by Urpi Arriola, MWSW Texas, for a Zoning Change from a Planned Development-14-Heavy Industrial (PD-14-HI) zoning district to Planned Development-Commercial (PD-C) zoning district, for the Crossroads 287 mixed-use development, located at 1601 W US Highway 287 Bypass, (Property ID 239122) - Owner: CSW Waxahachie LP (ZDC-195-2024)

Mr. Robertson presented the Item and applicant Kevin Hunter requested approval. The applicant proposes a Planned Development (PD) to allow for Crossroads 287, a mixed-use development with 35,500 square feet of medical office space, 14,950 square feet of retail space, two stand-alone restaurants, and two 4-story hotels with a combined total of 263 rooms. The proposed uses can be

referenced in greater detail on the Concept Plan. The design of the concept plan is consistent with the concept approved by City Council as part of the Development Agreement for the property. A base zoning district of Commercial (C) is proposed for the development.

The subject property is the site of the former Magnablend facility; which was destroyed in a 2011 fire. The City of Waxahachie acquired the subject property in 2018. In August of 2024, City Council approved a Development Agreement for the subject property with CSW Development. As part of the agreement, CSW agreed to develop the site for a combination of office, retail, sit down restaurant, and hotel uses and provided a very general concept plan to represent their development proposal. As part of the agreement, City Council transferred ownership of the property to CSW; but required to the group to return for approval of a Planned Development zoning district for the property. The PD proposal is consistent with the requirements of the Development Agreement for the subject property.

The Planned Development includes a total of seven (7) buildings that will each be situated on individually platted lots. An additional 8th lot is proposed to exclusively accommodate drainage and detention areas for the development. The applicant has exceeded the minimum parking requirement of 611 spaces and proposes to provide a total of 661 parking spaces. Each proposed lot on the subject property has been designed so that it can meet its individual minimum parking requirement.

With this Planned Development request, the applicant proposes a few modified development standards from those required with the base Commercial (C) zoning district. The modified standards are tailored to facilitate a more compact retail development pattern. The table below can be referenced for a comparison of the standard C requirements versus the development standards proposed with this application.

<u>Development Standard</u>	<u>C Zoning</u>	<u>Proposed Development Standard</u>
Min. Lot Size	5,000 SqFt.	5,000 SqFt.
Front Setback	25'	25' Exterior, 0' Interior
Side Setback	25'	20' (ROW), 0' (Retail)
Rear Setback	20'	20' Exterior, 0' Interior
Maximum Height	3-stories	4-stories
Max. Lot Coverage (Buildings)	40%	40%

In addition to the modification identified above, the applicant has also proposed development standards that restrict permissible uses in the PD district. The base Commercial zoning district typically allows for a wide range of uses; but not all of these uses are appropriate for the office/retail-oriented development proposed by the applicant. With this in mind, the applicant has prohibited 56 uses that were identified as incompatible or too intense for their proposed development. A few examples of proposed prohibited uses include: Outdoor Building Material Sales, Storage Warehouses, Heavy Machinery Rental/Sales, Drive-Through Establishments, and Light Manufacturing.

The applicant proposes to utilize two lots on the western side of the property for the medical offices uses. The proposed lots are 2.5 acres and 0.8 acres in size and can accommodate a combined 35,000 square feet of one-story medical offices. Baylor and Touchstone Imaging are the proposed end users for the two medical office lots.

The applicant proposes to utilize two lots on the southern portion of the property for the hotel uses. The hotels lots are proposed to be 2.48 acres and 2.21 acres and are designed to accommodate 150 rooms and 113 rooms respectively. No end-users are currently proposed for the hotel site, but each hotel is proposed to be 4-stories in height.

The applicant proposes to develop lots on the northern portion of the property immediately adjacent to US Highway 287 Bypass for restaurant uses. The applicant has not identified end-users for the restaurant sites. However, each lot is designed to accommodate sit-down restaurants exclusively as opposed to drive-through restaurants. A minimum of one of the sit-down restaurants is required to include an outdoor patio that flanks a central courtyard amenity that is proposed in the center of the development.

The applicant proposes to utilize the final lot on the site for a multi-tenant retail building. The retail lot is situated on the northern portion of the property along US Highway 287 Bypass and adjacent directly adjacent to the central courtyard amenity. No specific tenants are identified at this time for the retail building. However, the retail site is designed to accommodate a range of tenants that include, but are not limited to, personal services, retail stores and shops, and small restaurants.

The development is proposed to include two (2) direct connections to the US Highway 287 Bypass access roads. The proposed connections meet the minimum TxDOT spacing requirements for new driveways. The eastern most driveway is proposed to align with the existing service road and connector road intersection. The applicant has provided a Traffic Impact Analysis (TIA) with the PD Application, as required by the Development Agreement for the subject property. The TIA recommends the installation of a traffic signal at the intersection mentioned above and the applicant proposes to install the traffic signal accordingly. To facilitate cross connectivity between lots, the applicant proposes to execute mutual access easements throughout the subject property. Mutual access easements are also proposed to extend to the Navarro College properties to the south and west in order to facilitate future connectivity at the time these properties develop. The TIA will continue to be reviewed by the Public Works & Engineering Department with future Civil Construction Permits for the subject property.

The applicant proposes to construct an amenitized courtyard near the center of the property between multi-tenant retail building and sit-down restaurant. The courtyard is an item included in the Development Agreement that was approved for the property in August of 2024. The area will be flanked by an outdoor patio for the sit-down restaurant and is intended to be a public gathering space for patrons of the development. Proposed amenities for the courtyard include specialty lighting, a shade structure, outdoor seating and tables, and high-end landscaping. Per the proposed Development Standards, the courtyard is required to be completed prior to the issuance of a CO for the first building on the property.

The applicant has proposed specific landscaping requirements as part of the PD Development Standards for the property. The proposed standards result in an overall reduction in total plantings from that which would be required under the typical minimum landscape standards of the Waxahachie Zoning Ordinance. To offset the overall reduction in landscaping, the applicant has proposed to plant larger, six-inch (6”) caliper, street trees along US Highway 287 Bypass as opposed to the typically required four-inch (4”) caliper street trees. A detailed Landscape Plan is required to be submitted as part of the Site Plan Application for each individual lot within the subject property.

The applicant has proposed detailed exterior construction and building articulation requirements as part of the PD Development Standards. The proposed standards include varying requirements for the retail, restaurant, hotel, and medical office buildings within the development. Final Elevation/Façade Plans are not included with this PD, as end users have not yet been identified. However, each building is required to utilize exterior construction materials that are similar or complementary to the examples provided, with exceptions for national or regional restaurant brands. As part of the PD Development standards, the applicant has also provided example renderings for the proposed medical office, hotel, and retail buildings. A final Elevation/Façade Plan is required to be submitted as part of the Site Plan Application for each individual building on the subject property.

The applicant proposes to allow two (2) monument signs and one (1) pylon sign for the subject property with this PD application. Each of these signs are proposed to be located along US Highway 287 Bypass.

The monument signs are proposed to meet the standard height and size requirements of the Waxahachie Zoning Ordinance. The pylon sign is proposed to be a maximum of 50’ in height and provide a total of 300 square feet of advertising space. The base of the pylon sign is proposed to utilize masonry material complimentary to that used for the retail buildings on the site.

The applicant has designed the Concept Plan for the property to accommodate two (2) dedicated detention areas in the southeast corner of the site. Each detention area is proposed to be fenced by four foot (4’) ornamental metal fence.

As part of this development, the applicant is required to extend private water and sanitary sewer lines across the subject property. The applicant has submitted a Civil Construction Permit to account for these utility extensions. The Civil Construction Permit is currently under technical review by staff.

The property is subject to requirements of the Lighting and Glare Standards from Section 6.03 of the Waxahachie Zoning Ordinance. To verify compliance with these standards, the applicant shall be required to provide a Photometric Plan as part of the detailed Site Plan Application for each individual lot.

The applicant proposes to develop the infrastructure (water, wastewater, stormwater, shared drive-aisles) for the subject property in a single phase. Individual lots on the site are proposed to develop as determined by the market.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, nine (9) notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received zero (0) letters of support and zero (0) letters of opposition for the PD request.

Councilman Wright asked if the proposed stop light will be at the developer's expense and Mr. Robertson confirmed it would be.

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

There being no others to speak for or against ZDC-195-2024, Mayor Wallace closed the Public Hearing at approximately 8:04 p.m.

Council Member Travis Smith raised safety concerns about traffic access, specifically questioning why the traffic impact study did not require a deceleration lane at the westernmost access point along Business 287, near a 55-mph zone. Justin Stoker, Senior Director of Public Works and Engineering, clarified that the traffic study, based on full buildout projections, did not trigger the need for a deceleration lane, but the developer would still be required to meet any future requirements from TxDOT or the City. Councilman Smith emphasized past traffic planning failures and stressed the importance of including language in the development agreement to ensure a deceleration lane is added if later deemed necessary, especially given the high-speed traffic and complex roadway configuration in that area. Mr. Hunter noted TxDOT typically requires all traffic improvements before a driveway permit is issued and expressed willingness to work with the City and TxDOT on any required modifications.

20. Consider proposed Ordinance approving ZDC-195-2024

ORDINANCE NO. 3647

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-14-HEAVY INDUSTRIAL (PD-14-HI) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C) LOCATED AT 1601 W US HIGHWAY 287 BYPASS IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING APPROXIMATELY 13.116 ACRES KNOWN AS LOT 1R, BLOCK A OF THE ORIGINAL SPIROLITE ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-195-2024, a Planned Development request for the Crossroads 287 mixed-use development, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly, and further, prior to the issuance of a Certificate of Occupancy for any structure on the property, the developer shall install a deceleration lane along 287 Bypass, if merited in the sole determination of the City. Motion was seconded by Travis Smith and carried unanimously (4-0).

21. Consider Development Agreement for ZDC-195-2024

Action:

Tres Atkins moved to approve the Development Agreement for ZDC-195-2024, with the inclusion of the issuance of a Certificate of Occupancy for any structure on the property, the developer shall install a deceleration lane along 287 Bypass, if merited in the sole determination of the City. Motion was seconded by Travis Smith and carried unanimously (4-0).

22. Public Hearing on a request by Quinn Foster, Manhard Consulting, for a Zoning Change from a Single-Family-1 (SF-1) zoning district to Planned Development – General Retail (PD-GR) zoning district located directly north of 2400 North US Highway 77 (Property ID 189302) – Owner(s): Snow Peach Legacy Family Holding Spendthrift Trust (ZDC-75-2025)

Mayor Wallace announced the applicant requested to continue the Public Hearing to the September 2, 2025 City Council meeting to refine their proposal and address citizens' concerns.

Action:

Chris Wright moved to continue the Public Hearing for ZDC-75-2025 to the September 2, 2025 City Council meeting. Motion was seconded by Tres Atkins and carried unanimously (4-0).

23. Consider proposed Ordinance approving ZDC-75-2025

No action taken.

24. Discuss and consider City Hall Addition/Renovation Project scope, contracts and funding

Action:

Travis Smith moved to consider Item 24 on tonight's agenda to post Executive Session. Motion was seconded by Tres Atkins and carried unanimously (4-0).

25. Convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, as permitted by Texas Government Code Section 551.074; and to consult with the City Attorney regarding legal issues related to the city manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto

Mayor Wallace announced at 8:17 p.m. the City Council would convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, as permitted by Texas Government Code Section 551.074; and to consult with the City Attorney regarding legal issues related to the city manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

26. Reconvene and take any necessary action

The meeting reconvened at 11:06 p.m.

24. Discuss and consider City Hall Addition/Renovation Project scope, contracts and funding

Action:

Chris Wright moved to move forward with the renovation project of the City Hall and taking into account the cost and increases that were presented.

Motion died due to lack of second.

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

Council Member Chris Wright expressed support for moving forward with the City Hall project, believing delays will lead to significantly higher costs. He acknowledged and appreciated Councils' perspectives and also wished Mayor Pro Tem Souter a speedy recovery.

28. Adjourn

There being no further business, the meeting adjourned at 11:08 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary