

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, October 6, 2025 at 7:00 p.m.

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

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

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Interim City Manager Ricky Boyd gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Announcements/Presentations

- a. Introduce Honorary Council Member
- b. Proclamation designating October 7th as a “Day of Remembrance and Community Resilience”
- c. Recognize Utility Department team member, David Bailey, for receiving the W.T. “Doc” Ballard Memorial Service Award from Texas Water Utilities Association

Council Member Tres Atkins introduced October Honorary Council Member Missy Phillips. This October, we are proud to honor Missy Phillips as our Honorary Council Member, a passionate servant leader whose dedication to the Waxahachie community spans decades. Ms. Phillips has generously served on numerous boards, including the Waxahachie Senior Citizen Center, where she held positions as Secretary and President, the Waxahachie Junior Service League, and the Salvation Army, where she devoted over 22 years serving, serving both as Secretary and President.

She also contributes her leadership to Campfire Creek Therapeutic Riding Center, where she currently serves as Board Chair. Her past involvement also includes key roles with the Miracle League, Wilemon PTO, Wedgeworth PTO, and the Crape Myrtle Council. Her volunteer footprint is equally impressive. Ms. Phillips has dedicated her time and energy to organizations and events, including Waxahachie Youth Baseball, RBI Club, Richards Park concessions, Waxahachie Chamber of Commerce, YMCA fundraising campaign, Boys and Girls Club, Salvation Army Kettle Campaign, Dear Day Partners in Education, Habitat for Humanity, and Leadership Waxahachie, of which she is a proud graduate.

She has Chaired or Co-chaired several iconic local events, including the Gingerbread Trail, Waxahachie Chamber Banquet, Candlelight Tour, David Ream Memorial Golf Tournament, Waxahachie Mini Grand Prix, and the Crape Myrtle Festival. Her service has been recognized with numerous accolades including Leadership Waxahachie Award, YMCA Fundraising Volunteer of the Year, Boys and Girls Club Volunteer of the Year, Salvation Army Volunteer of the Year, and the Waxahachie Junior Service League Sustainer of the Year. Her lifelong commitment to uplifting others and building a stronger community is an inspiration to all. we are grateful for her tireless dedication and are honored to recognize her this month.

Mayor Wallace read the proclamation designating October 7th as a “Day of Remembrance and Community Resilience.”

Item c. will be postponed to an upcoming meeting.

5. Public Comments

Terry Bader, 219 Black Bear Trail, Murfreesboro, TN, apologized for missing prior meetings and for not clearly explaining their copper-aluminum product. He acknowledged miscommunication with the City’s Building Department and requested a future workshop to clarify information. He committed to improving communication and appreciated the Department’s efforts.

Eric Kent, 421 Dr. Martin Luther King, Jr., Blvd., shared that after serving in the Army in 2004–2005 and struggling with PTSD and alcoholism, he became sober in August 2022. Inspired by recent events, he’s renewed his sense of patriotism and expressed a desire to begin serving at the city level with the goal of eventually reaching Congress or the Senate.

Alan Fox, 327 University, expressed concern about the City using a publication that is no longer widely accessible, especially for older residents who struggle with digital formats. He emphasized the importance of keeping public notices available in printed newspapers for accessibility. He also suggested the City Council consider lobbying the legislature to allow official City business to be posted directly on the City’s website in the future. In the meantime, he urged keeping public information easily accessible to all residents, not just those comfortable with online platforms.

6. Consent Agenda

- a. Minutes of the City Council meeting of September 15, 2025
- b. Event application for Trick or Treat on the Square to be held on October 30, 2025
- c. Event application for Tulipalooza to be held February 27-March 16, 2026
- d. Proposed Ordinance approving a request by Caleb Bates, for a Petition for ETJ Release for approximately 0.681 acres, located at 654 Sardis Rd (Property ID 180420) – Owner: Sardis Properties, LLC (ETJ-PTN-117-2025)
- e. Resolution to deny a rate increase request by Oncor Electric Delivery Company, LLC
- f. Buy Board Contract 746-24 with Siddons Martin Emergency Group, LLC for the purchase of a new Pierce Velocity PUC Pumper, designated as Fire Engine 5 in the amount of \$1,279,903
- g. Supplemental appropriation for insurance reimbursement for replacement of fabric shade covers at the Sports Complex in the amount of \$47,916

- h. Resolution designating an official newspaper and an alternate advertising source for the City of Waxahachie for Fiscal Year 25-26
- i. Appointment to the Waxahachie Community Development Corporation to fill unexpired term
- j. Authorize funding from the Tax Increment Reinvestment Zone No. 1 (TIRZ) fund for improvements at 208 ½ S. Rogers Street in the amount of \$13,082.90
- k. Authorize funding from the Tax Increment Reinvestment Zone No. 1 (TIRZ) fund for improvements at 112 S. Rogers Street in the amount of \$21,201.93
- l. Authorize funding from the Tax Increment Reinvestment Zone No. 1 (TIRZ) fund for improvements at 100 N. College Street in the amount of \$75,000
- m. Construction contract for the Highland Avenue and Grand Avenue Water Tanks Rehabilitation Project in the amount of \$936,512
- n. Construction contract for the Martin Luther King Blvd Water Line and Sidewalk Improvements Project in the amount of \$1,597,852
- o. Contract for replacement of Membrane Filter Cell No.1 Components at Sokoll Water Treatment Plant in the amount of \$546,756
- p. Construction contract for the US77 Water Main Extension Project in the amount of \$2,461,200
- q. Professional Services Agreement for the Jefferson Lift Station Hydrogen Sulfide Reduction Project in the amount of \$174,576
- r. Contract for body worn cameras in the amount of \$1,175,787.85
- s. Contract for eight (8) fleet camera systems in the amount of \$124,272

ORDINANCE NO. 3674

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 0.681 ACRE TRACT OF LAND, LOCATED AT 654 SARDIS ROAD KNOWN AS PROPERTY ID 180420, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

RESOLUTION NO. 1390

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; 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.

Mayor Pro Tem Patrick Souter requested to remove Item. h for further discussion.

Action:

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

Mayor Pro Tem Patrick Souter raised concerns about changing the City's official newspaper, questioning contract terms and costs. While acknowledging the Waxahachie Daily Light's quality, they emphasized the importance of supporting local businesses like The Waxahachie Sun, which is based in Waxahachie. He stated that unless there is a legal or financial reason to switch, the City should continue using a hometown newspaper, consistent with past practices favoring local vendors. Mayor Pro Tem Souter emphasized the importance of communication and believes the official newspaper should be a hometown paper. He suggested reviewing the contract if issues arise but caution against making decisions without fully exploring the matter.

Council Member Travis Smith explained his reasoning for supporting a switch of the City's official newspaper. He referenced a Texas Attorney General opinion, noting that a newspaper of general circulation must be accessible to all residents, including those who are homebound or lack internet access. The Waxahachie Sun does not offer home delivery or mail subscriptions, requiring subscribers to pick up papers in person during business hours, which limits accessibility and could be seen as discriminatory. He emphasized that this issue is not about revenue but about fairness and accessibility. Council Member Smith also highlighted that the Waxahachie Daily Light, through its partnership with the Midlothian Mirror, offers broader reach and delivery to paid subscribers, better meeting legal criteria for a paper of general circulation. Council Member Smith appreciated the acknowledgment that the decision to consider selecting a new paper of record was a collective Council discussion, not driven by any individual. He clarified that the issue wasn't secretly pushed by a small group, as some have suggested, but that everyone received the same information simultaneously.

Council Member Chris Wright noted he believes the issue needs to be tabled and fully discussed at a proper agenda meeting rather than decided tonight. He asked for detailed information on subscription numbers and City spending before voting. Council Member Wright prefers staying with a hometown, locally owned paper and acknowledged the previous switch to The Waxahachie Sun was due to it being a local paper with lower rates. Since then, there hasn't been much discussion. He emphasized the need for transparent public discussion with all facts before making any decision.

Council Member Tres Atkins emphasized the need for accountability, pointing out that a missed deadline caused extra meetings and wasted time and money. Council Member Atkins noted that no one has acknowledged this failure publicly. He noted he is willing to go along with delaying a decision; however, he believes the missed deadline should have consequences and is ready to decide now instead of postponing the decision.

Mayor Wallace explained that cities are legally required to publish public notices, and this topic comes up annually. Recently, a tax notice was missed in the publication process, causing issues. There was also a problem with submitting notices to the Waxahachie Daily Light due to changing deadlines. The City aims to reach as many people as possible, acknowledging different preferences for print or online news. While open to considering various newspapers, including the Dallas Morning News (which is more expensive), the priority is to get the best service and widest community reach for taxpayers' money. She supported reviewing all options to ensure the best fit. City Attorney Terry Welch confirmed that the City can approve multiple official advertising sources. The law allows appointing one official newspaper of general circulation but doesn't prohibit naming alternate newspapers. This means the City could designate one primary official newspaper and one or two alternates. Having alternates can help ensure timely publication,

especially if deadlines are missed by the primary paper. All these options are available, and the agenda posting complies with open meeting laws. The current draft resolution includes the Waxahachie Daily Light and the Dallas Morning News as alternates, but City Council can change those if desired.

Council Member Smith suggested including all county newspapers that meet the required criteria as alternates, since it causes no harm and ensures all options are covered. He emphasized that naming an "official" paper is mostly symbolic and doesn't confer any special privileges. Having multiple alternates allows flexibility to use different papers based on pricing and needs, with staff deciding how to best allocate funds. The main issue arose because there is no daily newspaper alternate—only weeklies—which limits options if a deadline is missed. Including daily papers as alternates would solve that problem and provide more flexibility.

RESOLUTION NO. 1391

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, AND THE WAXAHACHIE SUN AS ALTERNATE ADVERTISING SOURCES, FOR FISCAL YEAR 2025-2026.

Action:

Travis Smith moved to name the Official Paper of Record and Circulation as the Waxahachie Daily Light with the alternative advertising newspapers being the Dallas Morning News, Ellis County Press, Midlothian Mirror, and The Waxahachie Sun. Motion was seconded by Tres Atkins and carried 3-2 with Patrick Souter and Chris Wright voting in opposition.

7. Public Hearing on a request by Ndorerwanayo Cesar, for a Specific Use Permit (SUP) for a Home for Aged, (Assisted Living) use within a Planned Development Single-Family-3 (PD-SF-3) zoning district located at 1107 East Ross Street (Property ID 272982) - Owner: Tammy & Robert Tanguma (ZDC-89-2025)

Trenton Robertson, Senior Director of Planning, presented the Item and Ndorerwanayo Cesar requested approval. The applicant proposes a SUP for a Home for Aged, (Assisted Living) use within the Planned Development Single-Family-3 (PD-SF-3) zoning district located at 1107 East Ross Street. A Home for Aged land use requires a SUP to be approved by City Council per the City of Waxahachie Zoning Ordinance. Mr. Cesar, the owner of Light Dreams Healthcare, LLC, states that this use is a non-medically licensed Residential Care Home (Home for Aged, Assisted Living) that provides non-medical care services in a residential setting to elderly or disabled adults.

This business has been in operation for multiple years prior to the submission of this SUP application and it remains in operation at the time of this staff report. According to the applicant's Operational Plan, this Residential Care Home holds a maximum of 3 residents at a time, and provides 24/7 non-medical assistance and supervision to its residents. The owner employs only 1 caregiver that resides with the residents 24/7, and there is no rotation of caregivers at this particular location. Additionally, due to the services being non-medical in nature and the residents only requiring minimal assistance with daily living; a contracted nurse, additional medical staff, or medical equipment are not available onsite. Additionally, according to the applicant, a transportation van is not present nor stored onsite.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. Staff has received three (3) letters in support and no letters of opposition for the SUP request.

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

1. This SUP shall remain with the applicant for this specific location, only. If the applicant moves to another location or Light Dreams Healthcare, LLC closes, this SUP will be terminated immediately.
2. The applicant shall amend this SUP should they decide to increase the number of provided beds beyond three (3).
3. The applicant will obtain proper licensing and obtain all necessary permits as it pertains to providing residential assisted living care in accordance with state and local regulations.
4. This property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to operating at the subject property.

Mayor Wallace opened the Public Hearing at approximately 8:02 p.m.

There being no others to speak for or against ZDC-89-2025, Mayor Wallace closed the Public Hearing at approximately 8:03 p.m.

8. Consider proposed ordinance approving ZDC-89-2025

ORDINANCE NO. 3675

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HOME FOR AGED, (ASSISTED LIVING) USE WITHIN A PLANNED DEVELOPMENT SINGLE-FAMILY-3 (PD-SF-3) ZONING DISTRICT, LOCATED AT 1107 EAST ROSS ST BEING PROPERTY ID 272982, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 5, BLOCK A OF THE TREVINO HELMS ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-89-2025, a Specific Use Permit (SUP) for a Home for Aged (Assisted Living) use, subject to the conditions of the staff report, authorizing the Mayor and/or Interim City Manager to execute all documents accordingly, and comply with all State and Local Ordinances. Motion was seconded by Travis Smith and carried unanimously (5-0).

- 9. 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 104 Ryburn Street (Property ID 175937) – Owner(s): LGE Investment Homes, LLC (ZDC-101-2025)**

Mr. Robertson presented the Item. The applicant requests a SUP for short-term rental use at 104 Ryburn Street because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 1,412 square feet, with three (3) bedrooms and enough improved surface to accommodate parking for a maximum of three (3) vehicles. The subject property is situated on an approximately 0.11 acres (4,791 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on 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 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, 68 notices were mailed to property owners within 500 feet of the subject property 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 the staff report, a total of (10) letters of support and two (2) opposition letters were received by staff.

Mayor Wallace opened the Public Hearing at approximately 8:05 p.m.

There being no others to speak for or against ZDC-101-2025, Mayor Wallace closed the Public Hearing at approximately 8:05 p.m.

10. Consider proposed ordinance approving ZDC-101-2025

ORDINANCE NO. 3676

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 104 RYBURN STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.11 ACRES KNOWN AS PROPERTY ID 175937, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-101-2025, a Specific Use Permit (SUP) for Short-Term Rental use, subject to the conditions of the staff report, authorizing the Mayor and/or Interim City Manager to execute all documents accordingly. Motion was seconded by Chris Wright and carried unanimously (5-0).

11. Public Hearing on a request by Deanna Carter for a Zoning Change from a Future Development (FD) zoning district to a Rural Residential (RR) zoning district, located at 1183 Lone Elm Road (Property ID 180654) - Owner: Deanna Carter (ZDC-104-2025)

Mr. Robertson presented the Item. Multiple existing developed properties adjacent to the subject property have ROW frontage ranging between 120' to 150'. The subject property and adjacent properties on Lone Elm Road were originally developed prior to annexation by the City of Waxahachie, meaning that the requirements of the FD zoning district were not applicable at the time of development. The aforementioned adjacent properties also range in size between 0.59 acres and approximately 1.25 acres.

The RR zoning district proposed by the applicant requires a minimum lot size of 2 acres which is larger than a majority of existing developed properties along Lone Elm Road. Based on the subject property's 401' of frontage along Lone Elm Road, the applicant could subdivide the property into a maximum of two (2) lots, if this zoning change request is approved.

The proposed zoning change is compatible with existing developed properties immediately adjacent to the subject property. Furthermore, the zoning change request will result in a development pattern consistent with the recommendation of the 2023 Comprehensive Plan for the area. With this in mind, staff is supportive of the zoning change request.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 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 one (1) letter of opposition to the zoning change request.

Mayor Wallace opened the Public Hearing at approximately 8:10 p.m.

There being no others to speak for or against ZDC-104-2025, Mayor Wallace closed the Public Hearing at approximately 8:10 p.m.

12. Consider proposed ordinance approving ZDC-104-2025

ORDINANCE NO. 3677

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM FUTURE DEVELOPMENT (FD) TO RURAL RESIDENTIAL (RR) LOCATED AT 1183 LONE ELM ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 10.183 ACRES KNOWN AS PROPERTY ID 180654, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-104-2025, a Zoning Change at 1183 Lone Elm Road from Future Development (FD) to Rural Residential (RR), authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

- 13. Public Hearing on a request by Lexi Cassels, Kimley-Horn, for a Zoning Change from a Commercial (C) zoning district to Planned Development-Multi-Family-2 and Planned Development-Commercial (PD-MF-2 & PD-C) zoning district, for a mixed-use development, located directly east of 2050 Conquest Boulevard, (Property ID 191630 & 191636) - Owner: B&T Realty Services Inc (ZDC-91-2024)**

Mr. Robertson announced the applicant requested to continue the Public Hearing to the October 20, 2025 City Council meeting to allow the developer additional time to analyze the final construction costs of the development.

Action:

Tres Atkins moved to continue the Public Hearing for ZDC-91-2025 to the October 20, 2025 City Council meeting. Motion was seconded by Chris Wright and carried unanimously (5-0).

- 14. Consider proposed ordinance approving ZDC-91-2024**

No action taken.

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

No action taken.

- 16. 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)**

Mr. Robertson presented the Item. On July 15, 2025, the applicant requested to continue the application from July 15, 2025 Planning and Zoning Commission meeting to the August 12, 2025 Planning and Zoning Commission Meeting to refine their proposal and address citizen concerns. At the Planning and Zoning Commission meeting on July 15, 2025, the Commission voted 5-0 to continue the case to August 12, 2025 Planning and Zoning Commission meeting.

The applicant held a neighborhood meeting on July 24, 2025 to introduce the proposal to community members and solicit feedback on the development. Following this meeting, the applicant has begun working to address concerns with screening and setbacks from the proposed Cardinal Road extension.

On August 4, 2025, the applicant requested to continue the application from the August 12, 2025 Planning and Zoning meeting to the September 8, 2025 Planning and Zoning Meeting to address citizen concerns that were mentioned at the neighborhood meeting. At the Planning and Zoning Commission meeting on August 12, 2025, the Commission voted 6-0 to continue the case to September 8, 2025 Planning and Zoning Commission meeting.

The applicant proposes a Planned Development – General Retail (PD-GR) zoning district to allow for development of a Sam’s Club on approximately 29.85 acres located directly north of 2400 North US Highway 77. The subject property is currently located within the Single-Family-1 (SF-1) zoning district. The proposed use of “Retail Stores & Shops” is not permitted within the current SF-1 zoning district; therefore, the applicant is proposing a zoning change to PD-GR. The applicant proposes to establish specific development standards that are appropriate for Sam’s Club and the surrounding area.

The Planned Development is proposed to include Sam’s Club as the primary use, along with a Fuel Station, a Propane Refill Station, Tire Center, Pick-Up area, and an Outdoor Display area as accessory uses. Sam’s Club is a membership-only retailer that offers groceries, apparel, appliances, and household goods along with tire, propane, and fuel services at each location. Typical operating hours for Sam’s Club are Monday through Saturday from 8:00am to 8:00pm, and Sunday from 10:00am to 6:00pm. The applicant anticipates up to 210 individuals to be employed by the proposed Sam’s Club.

In addition to the primary retail land use of Sam’s Club, the applicant proposes development standards that allow for the following accessory uses on the subject property. It is important to note that the following uses are only permitted as accessories, meaning they are not permitted to operate as stand-alone land uses without affiliation with Sam’s Club.

- Gasoline Sales as an accessory use to the Retail Store [Sam’s Club]
- Outside Storage, limited to a tire trailer adjacent to the Tire Center area and screened accordingly, as shown on the Detailed Site Plan, as an accessory use to the Retail Store [Sam’s Club]
- Propane Refill Station, as an accessory use to the Retail Store [Sam’s Club]
- Tire Installation or Repair as an accessory use to the Retail Store [Sam’s Club]

The applicant has provided a Detailed Site Plan for the subject property, which is designed around an approximately 166,000 square-foot structure that will house Sam’s Club. The Detailed Site Plan also includes a detached, self-service fuel center with twelve (12) dual-sided fuel pumps, Tire and Battery Center, and a self-service propane tank exchange. The development is proposed to be situated on a single lot. The primary 165,970 square foot structure will house the Tire & Battery Center in the northwest corner of the building. An online pick-up area has also been designated on the southeastern side of the primary building.

The proposed Site Plan includes a total of 845 parking spaces, which exceeds the minimum requirement of 830 parking spaces. The site is designed to adhere to the minimum setback requirements of the General Retail (GR) zoning district. However, it is important to note that the primary building is situated approximately 648’ from the nearest adjacent single-family residential lot in the Arbors at Willow Grove neighborhood located southeast of the subject property. The product loading area and trash compactor for the site are situated at the northeast corner of the primary building, which is setback approximately 900’ from the nearest adjacent single-family residential lot. The trash compactor and product loading area are proposed to be screened.

The subject property is proposed to have a total of four (4) points of access. Three (3) access points are proposed along future Cardinal Road and one (1) access point is proposed along Grove Creek Road, as shown on the Detailed Site Plan. Notably, the Development Standards require all delivery truck traffic to leave the property using the Grove Creek Road exit. This development standard was added to reduce the potential for conflicts between truck and commuter vehicle traffic at the primary access points along Cardinal Road.

Cardinal Road is identified as a 100' minor arterial (4-Lane) on the 2023 Waxahachie Thoroughfare Plan. The applicant proposes to construct four (4) lanes of Cardinal Road beginning at the existing intersection of Cardinal Road and Highway 77 and extending to their eastern property line.

The City will continue the construction of four (4) lanes of Cardinal Road with dedicated landscaped medians from the developer's eastern property line to Vista Way. The majority of Grove Creek Road will remain in its existing form, parallel to the proposed Cardinal Road. The right-of-way dedication for Grove Creek Road will be provided as necessary to facilitate improvements required with the civil construction permit. The Thoroughfare Plan ultimately identifies Cardinal Road extending west to connect to Interstate 35E and the Lofland Bridge. The City is in the early stages of the planning process for the Cardinal Road extension to Interstate 35E.

The applicant has submitted a Traffic Impact Analysis (TIA) with this PD Application. The TIA evaluated the expected traffic demands of the proposed development and recommended several off-site improvements to mitigate traffic concerns for the property. The TIA is actively under review by City staff and is required to be approved prior to the development of the site. To mitigate turning conflicts at the intersection of Highway 77 and Grove Creek Road, the City has requested that the developer install a "pork chop" median at the intersection. The "pork chop" median will result in a right-out only condition for vehicles exiting the site via Grove Creek Road, meaning that vehicles will only be able to exit northbound on Highway 77. This will eliminate the current condition allowing vehicles to turn southbound across traffic onto Highway 77 from Grove Creek road. The developer has committed to installing the off-site improvements recommended by the TIA. The Detailed Site Plan reflects the design for on-site drive-aisles and Cardinal Road. Final design of remaining off-site improvements will be provided with a future Civil Construction Permit and will require TxDOT approval in addition to City approval.

Since the previous Planning & Zoning Commission meeting, the applicant is in coordination with City staff regarding the alignment of Cardinal Road extension from the subject property to Vista Way.

The applicant has provided a Landscape Plan that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. Notably, the applicant has clustered required landscaping along the eastern property line to provide a significant buffer between the Sam's Club store and the adjacent single-family zoned property. The proposed landscape plan is designed to address neighbor's concerns by enhancing the buffer between the proposed Cardinal Road extension and existing residences to the south.

Additionally, the applicant is proposing to install a portion of the required canopy trees for the development in a landscape buffer along the southern side of the Cardinal Road extension. The landscape buffer south of the Cardinal Road extension ranges between approximately 100' and 300' in width. This large landscape buffer is intended to mitigate the impact of the Cardinal Road extension on the existing residential homes to the south of the subject property. At the closest point to the southern property line, the edge of Cardinal Road is approximately 105' from the adjacent residential property.

The Waxahachie Zoning Ordinance typically requires non-residential development adjacent to single-family zoning districts to install a 6' masonry screening wall along the shared property line; but does allow for equivalent alternative screening methods. To screen the adjacent SF-1 zoning district to the east, the applicant proposes to heavily cluster canopy and understory trees along the eastern property line. The proposed design results in a variable width landscape buffer along the eastern property line that ranges from approximately 115' in width at the narrowest point to approximately 280' at its widest point. It is important to note that portions of this landscape buffer include a 100' overhead electric easement and a proposed detention pond. Staff is supportive of this alternative screening proposal due to the large size of the landscape buffer and the degree of landscaping proposed within the buffer.

The applicant has provided an Elevation/Façade Plan for all structures proposed with this development. The wholesale club structure is proposed to feature concrete masonry units (CMUs) and stucco as the primary exterior construction materials. All exterior construction materials are proposed to be painted with the standard Sam's Club palette which features a combination of complimentary gray and blue color scheme. The primary structure meets the typical articulation requirements of the Waxahachie Zoning Ordinance. Enhanced articulation is proposed at several key locations that are accessible to customers. All roof-mounted equipment is fully screened from view by the proposed building articulation. The fuel station canopy utilizes the same color scheme as the primary structure. Exhibit B can be referenced for additional detail regarding the proposed elevations.

The applicant has proposed a dedicated Signage Plan with this PD application that includes wall signage and a monument sign. The proposed monument sign is a total 252 square feet and exceeds to the typical height and size requirements of the Waxahachie Zoning Ordinance. The monument sign is proposed to feature dual gas pricers for the fuel station and Sam's Club typical logo. The proposed wall signs for the development exceed the total maximum square footage allowed by the Waxahachie Zoning Ordinance, but are consistent with recently approved signage for the Tom Thumb and BJ's Wholesale Club to the south. Due to this, staff is supportive of the proposed signage for the site.

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

The applicant has designed the Site Plan for the property to include two dedicated detention areas. The design of the detention areas will be fully reviewed and approved with a future Civil Construction Permit to ensure they fully mitigate additional runoff created by the development. The applicant is required to extend public water and sanitary sewer lines across the subject property. The applicant has accounted for these extensions on the proposed Site Plan. Utility improvements are also required to be fully reviewed and approved with a future Civil Construction Permit.

The applicant proposes to develop the subject property as a single lot and in a single phase. Once development commences, the applicant anticipates construction to be completed between 8 and 18-months.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 48 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 six (6) letters of support and ten (10) letters of opposition for the PD request. In addition to the letters received, staff received a petition with forty-seven (47) signatures in opposition of this application request, outside of the 200-foot buffer.

Ivan Jaime, Sam's Club representative, requested approval and provided a brief overview of the proposed development and Sam's Club. It was confirmed by Sam's Club representatives that all stores close at 8:00 p.m. daily, product delivery to the store will be between 9:00 p.m. and 6:00 a.m., and that the rear of the property will remain single-family zoning. He explained Sam's Club has attempted to address the main concerns from the Planning and Zoning Commission including traffic noise and operational noise.

Matt Smith, the civil engineer for the project, explained that a 24-hour noise study at multiple locations around the proposed site showed no significant increase in sound levels. Existing noise, primarily from Highway 77, ranged between 40 and 60 decibels. With planned sound mitigation—specifically a sound-reducing wall around refrigeration units—the largest projected noise increase at nearby properties is about three decibels, a level generally undetectable to the human ear. In some cases, noise levels may actually decrease due to added vegetation. Concerns about truck backup alarms were addressed, noting their sound levels (76–91 dB) are comparable to other onsite equipment, and the duration of the noise is brief.

Mayor Wallace opened the Public Hearing at approximately 8:20 p.m.

Those who spoke in support:

Kevin Strength, Waxahachie Chamber of Commerce, 334 Hunter Pass, Waxahachie, Texas
Jim Phillips, 606 W. Marvin, Waxahachie, Texas

Those who spoke in opposition:

Kathleen Bowen, 527 W. Jefferson, Waxahachie, Texas
Rodney Hooper, 110 Brookbend Drive, Waxahachie, Texas
Jennifer Chelwick, 2222 Abela Drive, Waxahachie, Texas

There being no others to speak for or against ZDC-75-2025, Mayor Wallace closed the Public Hearing at approximately 8:51 p.m.

17. Consider proposed ordinance approving ZDC-75-2025

Council Members continued discussion with Mr. Jaime. The discussion focused on construction access and traffic concerns related to the project. The main point of entry will be a new portion of Cardinal Road built south of the property, minimizing heavy truck traffic on Grove Creek Road. While some construction trucks might use Grove Creek Road, the goal is to avoid that and direct traffic toward Highway 77. Existing mature trees near the water treatment plant will remain untouched, with possible tree replacements as needed. A traffic safety concern was raised about Grove Creek Road and a proposal for a traffic circle at a bend on Grove Creek Road was met with opposition because it wouldn't provide a direct route to a stoplight and would impact neighborhoods with new houses. It was clarified that although new homes are being built near Grove Creek Road, easements exist for potential future road expansion, allowing for eventual connectivity improvements.

Council Member Smith expressed concerns about safety and traffic, hoping to eliminate or restrict truck traffic on the Grove Creek section near the property to protect residents. He suggested limiting truck access to a right turn only and wanted safer access for residents to Highway 77 via an improved road, possibly built by Sam's Club or through joint efforts. He also raised issues about debris and light pollution from loading docks, emphasizing that trees won't stop trash from blowing into neighborhoods and that a physical barrier is needed to reduce noise, light, and debris impacts.

Mr. Jaime acknowledged noise concerns, explaining that noise levels would be low at the homes due to distance and vegetation, but agreed on the need for a barrier near the refrigeration units to reduce noise and catch debris. The developer emphasized ongoing cooperation with the City on traffic and infrastructure improvements and expressed a commitment to addressing these concerns in future planning. Council Member Smith requested to finalize the development agreement tonight but stresses the importance of including clear guarantees, especially for things like a noise/light/debris barrier wall. Mr. Jaime noted his preference to work out the exact design and location with City staff based on sound engineering and data, rather than having overly prescriptive mandates upfront.

In discussion regarding Grove Creek Road, it was acknowledged that it effectively becomes a private road mainly for Sam's Club truck traffic, cutting off residents' access. City Council suggested to improve and connect the road to Cardinal Road quickly—ideally upon construction—to provide safer access and lessen the impact on residents. However, the road improvement costs fall largely on the City and taxpayers, since Sam's Club is only giving the land but not funding the full road work. Council Member Smith expressed concern that the City bears the burden of building and maintaining a road primarily driven by truck traffic for this development. To address costs, proposals like sales tax abatements or cost-sharing (50/50 split) for road improvements were discussed, but there was little support from the developer. The City Council noted they are open to using economic development funds to help pay for infrastructure improvements, seeing it as an investment that supports a major business and potentially lowers taxes long-term.

In summary, the City Council wants clear commitments on barriers and road improvements, cost-sharing solutions for infrastructure, and quicker road connections to protect residents and accommodate traffic.

Residents from Grove Creek expressed concerned about losing their current access route due to the Sam's Club development.

City officials and Council members acknowledged these concerns and emphasized the importance of citizen safety and proper planning. It was noted that impact fees collected in the area should cover most of the project costs without burdening residents with additional taxes.

The City and Sam's Club representatives expressed willingness to collaborate on design details, including the wall and access routes, but highlighted the need for formal engineering plans and traffic data before making final commitments.

Overall, the parties agree to continue working together, balancing the needs of the new development with safety and access for existing residents, but emphasize that more detailed plans and studies are needed before final decisions.

ORDINANCE NO. 3678

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF-1) TO PLANNED DEVELOPMENT – GENERAL RETAIL (PD-GR) LOCATED AT 2400 NORTH US HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 29.21 ACRES KNOWN AS PART OF ABSTRACT NO. 848 OF THE A. S. PRUETT SURVEY AND PART OF ABSTRACT NO. 1024 OF THE J. STARRETT SURVEY, PROPERTY ID: 189302, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-75-2025, a zoning change request from a Single Family-1 zoning district to a Planned Development-General Retail zoning district, subject to the conditions of the staff report; authorize the Interim City Canager and/or Mayor to execute all necessary documents; and further, with the inclusion of a sound/partition wall along the loading dock area to be included in the detailed site plan attached to the zoning ordinance, the design and location of which shall be subject to the approval of the Senior Director of Planning and Zoning. Sam's Club further commits to discussions with City staff to improve connectivity between Grove Creek Road and Cardinal Road. Motion was seconded by Chris Wright and carried unanimously (5-0).

18. Consider Development Agreement for ZDC-75-2025

Action:

Tres Atkins moved to approve the Development Agreement for ZDC-75-2025. Motion was seconded by Chris Wright and carried unanimously (5-0).

19. Consider proposed resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Year 2026

Interim City Manager Ricky Boyd explained staff did not receive additional nominations from City Council for the Ellis Appraisal District (ECAD) Board of Directors. He explained once all entity nominations are received by ECAD, Council will adopt a resolution allocating votes in December. City Council did not have a nomination to submit.

No action taken.

20. Consider vote for Texas Municipal League (TML) Region 13 Board of Directors Election

City Secretary Amber Villarreal presented the Item. The Texas Municipal League (TML) has issued a corrected ballot for the Region 13 Board of Directors election, dated September 9, 2025, due to an earlier omission of a qualified applicant. Only ballots dated 9/9/2025 are valid and must be submitted by October 23, 2025. The elected board member will serve a two-year term from October 31, 2025, to October 15, 2027.

Action:

Patrick Souter moved that the City of Waxahachie cast its vote for Stanley Jaglowski as the Region 13 Director on the TML Board of Directors. Motion was seconded by Tres Atkins and carried unanimously (5-0).

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, and selection of a City Manager, all 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 9:45 p.m. the City Council would convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including the appointment, evaluation, duties or dismissal of any member of a City board or commission, and selection of a City Manager, all 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.

22. Reconvene and take any necessary action

The meeting reconvened at 11:11 p.m.

Action:

Tres Atkins moved to authorize the City Attorney to commence any and all default and/or property reversion provisions pursuant to the development agreement for the property located at 216 North College Street. Motion was seconded by Travis Smith and carried unanimously (5-0).

Action:

Tres Atkins moved to approve the Chapter 380 Economic Development Agreement and incentive package with Holt Texas, LTD as presented in Executive Session and authorize the Interim City Manager execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

Action:

Patrick Souter moved to authorize the Interim City Manager to negotiate and purchase approximately 1.02 acres of land, approximately 0.54 acres of right-of-way, and approximately 0.17 of drainage and utility easement as presented in executive session for \$25,000 and authorize the Interim City Manager to execute all necessary documents for this transaction. Motion was seconded by Tres Atkins and carried unanimously (5-0).

Action:

Travis Smith moved to authorize the Interim City Manager to enter into a purchase agreement in the amount of \$2,750,000, plus any required closing costs, for the property and all improvements located at 820 Ferris Avenue, Waxahachie, Texas, and authorize the Interim City Manager to execute all documents necessary for the transaction. Motion was seconded by Patrick Souter and carried unanimously (5-0).

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

Missy Phillips expressed appreciation for being the October Honorary Council Member.

Council Member Chris Wright thanked everyone for their work on the Sam's Club project, acknowledging potential traffic concerns but emphasizing that development on the land was inevitable and that Sam's/Walmart has a strong track record as a city partner. He also briefly commented on the day's tensions, noting that much of the negativity circulating lacks firsthand knowledge and should be avoided.

Mayor Pro Tem Patrick Souter thanked Eric Kent for his service. Mayor Pro Tem Souter thanked community members for their engagement and support, especially regarding the Sam's Club development, highlighting its potential to bring jobs and increased sales tax revenue. He expressed optimism about the project's long-term benefits and hope recent tensions or disagreements at the meeting are only a minor bump in the road, emphasizing the importance of continued collaboration among Council members.

Deputy City Manager Albert Lawrence expressed appreciation for the City staff's hard work on the Sam's Club project, noting that the current outcome is a significant improvement from where it began. He commended Sam's Club for being a cooperative partner and acknowledged the effort that went into reaching this point.

Council Member Travis Smith echoed previous praise for staff and the Sam's Club project, emphasizing appreciation for the progress made and Sam's Club cooperation. Regarding the City's official newspaper, Council Member Smith supports the decision to ensure staff have multiple options to meet public notice requirements, preventing missed postings or meetings and expressed pride in the Waxahachie Daily Light's historical role. He noted the Sam's Club development will have positive economic benefits, such as keeping local sales tax dollars and supporting businesses that currently travel elsewhere for bulk goods.

Council Member Tres Atkins thanked Missy Phillips for serving as the October Honorary Council Member.

Interim City Manager Ricky Boyd expressed appreciation for City staff's hard work on the Sam's Club project, acknowledging the year-long effort and attention to detail it required. He also thanked City Attorney Terry Welch for his responsiveness and legal guidance, specifically noting his quick turnaround on a request made just hours before the meeting.

Mayor Billie Wallace expressed gratitude to Missy Phillips for her dedicated service to Waxahachie and to Eric Kent for his continued commitment to the community. Mayor Wallace commended the progress made on the Sam's Club project, highlighting how many resident concerns—especially around traffic—have been addressed. While acknowledging that growth brings challenges, particularly for long-time residents, Mayor Wallace emphasized the importance of adapting to change. She praised City staff, especially Interim City Manager Rick Boyd, for their responsiveness and hard work, noting that it feels like “a new day” in Waxahachie. Mayor Wallace stated that when something concerns the citizens, it becomes a priority for the Council and staff, and the City has shown consistent dedication to meeting those needs.

24. Adjourn

There being no further business, the meeting adjourned at 11:13 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary