

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 20, 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

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

4. Announcements/Presentations

- a. Introduce Honorary Council Member
- b. Recognize the Finance Department for receiving the Achievement of Excellence in Procurement award from the National Procurement Institute
- c. Recognize Leila Cole, Purchasing Manager, for earning the NIGP-CPP Certified Procurement Professional Certification from the Institute for Public Procurement

Council Member Tres Atkins introduced October Honorary Council Member Missy Phillips. 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.

Senior Director of Finance Chad Tustison recognized two members of the Finance Department's Purchasing Team, Leila Cole and Marina Borrego, for their outstanding contributions and recent achievements. Leila Cole, the Purchasing Manager, has been with the department for two years and has played a key role in improving the purchasing process. She recently earned the NIGP-CPP certification, the highest professional certification in public procurement. Marina Borrego, Buyer, has been with the team for under six months and has already made a significant impact.

Together, the team helped the City earn the Achievement of Excellence in Procurement Award, a prestigious recognition given to only 85 cities in the U.S. and Canada, reflecting excellence and innovation in procurement practices. Mr. Tustison praised both individuals for their professionalism, dedication, and positive representation of the city, and expressed sincere appreciation for their work.

5. Public Comments

Ira Tenpenny, 109 Rosa Street, Waxahachie, Texas, expressed concern about students at Northside Elementary being exposed to silica on October 16, during the removal of playground equipment from the school property.

6. Consent Agenda

- a. Minutes of the City Council meeting of October 6, 2025
- b. Minutes of the City Council work session of October 6, 2025
- c. Proposed Ordinance amending Sections 8-30 and 8-31 of Chapter 8 of the City of Waxahachie Code of Ordinances to allow the use of copper clad aluminum wire in single-family residential
- d. Contract for purchase of eight (8) patrol vehicles in the amount of \$378,720
- e. 2022 Water and Sanitary Sewer Replacement Project Change Order-Amphitheater Parking Lot in the amount of \$151,352
- f. Construction Contract with HD Cook's Rock Solid, LLC for Asphalt Reconstruction: Grace, W Parks, Textile & Marshall Project in the amount of \$922,025
- g. Contract for purchase of backhoe and skid steer in the amount of \$257,685
- h. HGAC Contract with Bruckner's Truck & Equipment in the amount of \$217,296.58 for the purchase of a new 2027 Mack MD6 with Attenuator body, designated as Fire Blocker 2
- i. Musco Lighting Contract for Sports Complex LED Light Project PH II in the amount of \$678,811

ORDINANCE NO. 3679

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SECTION 8-30, "ALUMINUM WIRE CONDUCTORS RESTRICTED," AND SECTION 8-31, "WIRE SIZE," OF CHAPTER 8, "BUILDING," OF THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE, TEXAS, BY ALLOWING COPPER CLAD ALUMINUM WIRE TO BE UTILIZED; MAKING FINDINGS; PROVIDING CUMULATIVE/REPEALER CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; DECLARING AN EMERGENCY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Action:

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

7. Hear update of activities at Sims Library

Jen Graf, Library Director, presented an update of activities at Sims Library. Over the last year, Sims Library celebrated its 120th anniversary with several impressive milestones. Patrons saved over \$8.1 million by checking out physical items, while WiFi usage increased by 85%. The library expanded its digital offerings by purchasing a new streaming database, Kanopy, and saw a 37% increase in program attendance. Additionally, the library secured a \$43,980 grant from the Texas State Library & Archives Commission and raised \$34,285.96 through donations and grants. Highlighting staff excellence, Elias Carreon presented at the American Library Association's Annual Conference.

Sims Library received several honors this year, including a nomination for Non-Profit of the Year. Elias Carreon was nominated for Young Professional of the Year, presented at the American Library Association's Annual Conference, and celebrated a personal milestone by graduating with his MLIS from Syracuse University. Sarah Lucero was nominated for the Leadership Award, and Jen Graf not only received a nomination but also won the Leadership Award, highlighting the team's outstanding contributions and professional excellence.

Ms. Graf provided an overview of key library activities, including foot traffic, circulation trends, program participation, digital service usage, and community engagement. She also highlighted special projects such as the pollinator garden, fountain landscaping, and the addition of study booths.

Mayor Wallace praised the library team for their continued efforts and contributions to the community.

Council Member Travis Smith suggested enhancing the park across the street to complement the library's outdoor space and maximize its use and Ms. Graf agreed with the suggestion.

Council Member Chris Wright gave credit to the library staff, commending them for navigating recent legislative changes and maintaining compliance. He praised their dedication and adaptability.

Council Member Patrick Souter expressed appreciation for all the work done by Ms. Graf and the library staff, noting a definite increase in attendance and participation. He described the library as a “shining star” for the city.

8. 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)

Developer Shannon Livingston, requested one final continuance, until November 17th, for a proposed build-to-rent (BTR) housing project that has been in progress for over a year and a half. The project, under contract with B&T Realty Services, has undergone multiple design revisions, largely due to feedback from city departments, which have significantly increased development costs. Mr. Livingston emphasized their commitment to delivering a high-quality, well-managed rental community and noted that substantial capital (around \$300,000) has already been invested. He aims to use the additional time to evaluate the project’s financial feasibility and negotiate with the property owner. However, City Council members expressed concerns over the repeated delays (this being the sixth continuance), the saturation of rental properties in the area, and the potential loss of commercially zoned land adjacent to a high school and future developments. Council members recommended that, if any changes are made to the approved plan, the project should return to the Planning & Zoning Commission for reevaluation. While city staff did not object to one more continuance, they agreed that any plan modifications would require resubmission. The developer clarified that they are not seeking to change the plan at this time, only to finalize internal decisions with the seller before proceeding.

The consensus of the Council was that if any changes are made to the current plan, it must be resubmitted to the Planning & Zoning Commission for review.

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

There being no others to speak for or against ZDC-91-2024, Mayor Wallace closed the Public Hearing at approximately 8:06 p.m.

Action:

Tres Atkins moved to continue the Public Hearing for ZDC-91-2024 to the November 17, 2025 City Council meeting. Motion was seconded by Travis Smith and carried 4-1 with Patrick Souter voting in opposition.

9. Consider proposed ordinance approving ZDC-91-2024

No action taken.

10. Consider Development Agreement for ZDC-91-2024

No action taken.

11. 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))

Trenton Robertson, Senior Director of Planning, presented the Item and Marisa Brewer requested approval. At the Planning & Zoning Commission meeting held on July 15, 2025, the Commission voted 5-0 to recommend continuing case number ZDC-174-2024 to the Planning & Zoning Commission Meeting on August 12, 2025. At the Planning & Zoning Commission meeting held on August 12, 2025, the Commission voted 5-0 recommending approval subject to the staff report and to include the following items as part of the conditions to be submitted for staff review before the City Council meeting on September 2, 2025:

Planning & Zoning Commission Conditions:

1. The applicant shall remove the proposed tables on the site plan and add additional playground equipment and fencing around the amenities area. Then submit an updated site plan to staff prior to the City Council meeting.
2. The applicant shall add a shaded structure for the playground equipment proposed in this development.
3. The applicant shall submit a lighting and/or photometric plan with this application request, and shall adhere to Section 6.03 of the City of Waxahachie Zoning Ordinance prior to the City Council meeting.

The applicant has since submitted an updated site plan, landscape plan, and a rendering reflecting the changes recommended by the Planning and Zoning Commission.

At the City Council meeting held on September 2, 2025, the City Council voted 5-0 to continue case number ZDC-174-2024 to the City Council meeting on October 20, 2025, to provide additional architectural features highlighting each unit for this development and add a dumpster enclosure to the existing portion of this development. The applicant has since submitted updated elevations providing a total of three variations of the four (4) unit buildings.

The applicant proposes a Planned Development to allow for a townhome style multi-family development with a total of fifty-nine (59) units on 5.87 acres. This results in a density of 10.05 dwelling units per acre (DUA); which is below the maximum density of eighteen (18) DUA that is allowed by right per the base zoning district of Multi-Family-1 (MF-1). The proposed development will not be subdivided into separate platted lots and will be developed on one lot, similar to a multi-family apartment development. The existing Phase 1 and proposed Phase 2 are currently owned by the same entities with the possibility of being owned by different entities after the subject property has been platted.

The applicant proposes a total of eleven (11) buildings with this PD. Each building will house between 4-8 townhome-style units, with 1-3 bedrooms per unit. A total of fifteen (15) 1-bedroom units, thirty-five (35) 2-bedrooms units, and nine (9) 3-bedrooms units, totaling fifty-nine (59) units, is proposed for this development. The buildings have a proposed maximum height of two-stories and are situated approximately 95' from the southern boundary that is adjacent to an

existing residential subdivision (Northgate Two Addition). The proposed development includes a rear entry-attached garage for each unit with the remaining required parking to be parallel along the primary drive aisles. The applicant is not proposing any front entry garages with this development. The proposed parking does exceed the minimum total parking requirement (99 spaces) and minimum attached garage requirement (105 spaces) for a multi-family development of this size.

The applicant has provided a set of proposed exterior elevations for the multi-family development with this PD. Renderings of each building type are included in the Building Materials/Elevations Plan. The facades feature primarily stone with accents of brick and Hardie board planks utilized in various areas of each building to create some uniqueness to define each unit. Notably, all proposed structures utilize the same elevation.

The applicant proposes to provide amenities such as playground equipment, a pickleball court, and picnic tables to be located in the center of the development, as shown on the Site Plan. In addition, the applicant proposes open space throughout the development with internal pedestrian sidewalks. Staff recommends that the proposed playground come equipped with a minimum of five (5) play elements. Staff has also included a recommended condition of approval for the PD request that requires these central amenities to be installed prior to the issuance of the Certificate of Occupancy of the first building on the subject property.

The applicant has provided a Landscape Plan for the proposed development. The proposed landscaping does meet the minimum requirements of the City of Waxahachie Zoning Ordinance. The applicant is proposing to install part of the required landscape in front of each unit. The applicant is proposing to provide trees along the southern boundary line to serve as a buffer between the proposed development and Northgate Two Addition (residential subdivision).

The subject property is accessed from Johnston Boulevard, and Houston Street through mutual access easement with the existing development located to the north of the subject property, Heritage Square Townhomes Phase 1. The applicant proposes to dedicate a mutual access easement along the northern and eastern boundaries of the subject property by separate instrument. The applicant confirmed that they will file the mutual access easement prior to the plat application submittal.

The subject property is adjacent to an existing residential subdivision located south of the subject property, the Northgate Two Addition. Therefore, the applicant is proposing a 6' masonry screening wall, as required by the Waxahachie Zoning Ordinance. The applicant had previously coordinated a meeting with the adjacent property owners to communicate what the proposed development entails, and has stated that they will be reaching out to them regarding installation of the screening wall, should the property owner proceed with this development.

The subject property is identified by the 2023 Comprehensive Plan under the Mixed-Use Neighborhood placetype. Though the proposed development does not provide the mixing of activities, the use does provide a buffer between a dense multi-family development and a less dense traditional single-family neighborhood due to the proposed density for the development of 10.19 DUA. This type of density transition and the diversity of housing is consistent with the goals of the Mixed-Use Neighborhood placetype.

The applicant has provided a photometric plan that does not reflect the proposed lighting located in the central amenity area of the development. The Development Standards state that lighting around the amenity center shall be provided and have an override shut off at 10:00 P.M. However, there are some hours of the day when the sun sets early during the fall and wintertime, and the lights located on the private drives and amenities area will be lit simultaneously. This may cause a nuisance to the tenants occupying the units directly across the alley and private drive and adjacent to the area. Staff recommends for the applicant to comply with Section 6.03 of the City of Waxahachie Zoning Ordinance to prevent any lighting and glare nuisance that may cause to the tenants who will be occupying the rental units directly adjacent to the amenities area.

The applicant has provided updated elevations reflecting minor changes that include a total of three (3) variations of the four-unit buildings. Otherwise, comments from the City Council for the applicant to provide uniqueness to each unit were not addressed.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 35 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, no letters of support and four (4) letters of opposition to the request have been received by staff.

Mayor Wallace opened the Public Hearing at approximately 8:08 p.m.

Ms. Brewer reviewed satisfaction survey results received from Phase 1 tenants and the updated plan to address the dumpster concerns.

There being no others to speak for or against ZDC-91-2024, Mayor Wallace closed the Public Hearing at approximately 8:12 p.m.

Councilman Wright expressed appreciation to the applicant for providing the resident survey, addressing the dumpster concerns, and making the necessary changes to the proposal.

12. Consider proposed Ordinance approving ZDC-174-2024

Councilman Smith raised concerns about property access, suggesting the developer extend their build-out to the city property line. Mayor Wallace expressed concern about traffic being funneled onto the 287-service road near a yield sign and wished there was an alternative traffic route. Executive Director of Public Works James Gaertner noted that Mark Trail, located in Service Area 4, is not on the Thoroughfare Plan and therefore ineligible for impact fee funding. Councilman Wright stated he isn't concerned with the limited exit options through the neighborhood and believes there are viable alternatives. Mayor Pro Tem Souter agreed, adding he doesn't expect the project to generate significant traffic volume.

ORDINANCE NO. 3680

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT – COMMERCIAL (PD-5-C) TO PLANNED DEVELOPMENT – MULTIFAMILY-1 (PD-MF-1) LOCATED AT 501 HOUSTON STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 5.87 ACRES KNOWN AS PART OF

ABSTRACT NO. 851 OF THE R. PARKS SURVEY, PROPERTY ID: 189345, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Patrick Souter moved to approve ZDC-174-2024, a Zoning Change from Planned Development – Commercial to Planned Development – Multifamily, subject to the conditions of the staff report and authorize the Interim City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Chris Wright and carried 4-1 with Travis Smith voting in opposition.

13. Consider Development Agreement for ZDC-174-2024

Action:

Chris Wright moved to approve the Development Agreement for ZDC-174-2024. Motion was seconded by Patrick Souter and carried 4-1 with Travis Smith voting in opposition.

14. Consider a request by Jake Pinto, Alpine Start Development, for a Site Plan for Alpine Meadows, located directly south of 1850 FM 878 (Property ID: 290675) – Owner: ASD Waxi Fee Owner LLC (SP-68-2025)

Mr. Robertson presented the Item. At the Planning & Zoning Commission meeting held on September 23, 2025, the Commission voted 6-0 to recommend approval of case number SP-68-2025, subject to the conditions of the staff report. The conditions of approval included the following with regard to amenity phasing. Since the Planning & Zoning Commission meeting, the applicant has provided an alternative proposal for amenity phasing that is discussed in the Planning Analysis section below.

- The proposed Open Space Amenities and Clubhouse included in each individual phase of construction shall be installed and operational prior to the issuance of the Certificate of Occupancy (CO) for the first structure in the associated phase of construction.

The applicant proposes a Site Plan to allow for the construction of Alpine Meadows, a multi-family development comprised of 486 garden-style apartment units and 295 townhome style units. The proposed garden-style units range in size from studio to 3-bedrooms; while the townhome style units include only 2- and 3-bedroom units. The subject property is currently situated in a Planned Development (Ordinance 2281) zoning district that was approved in 2005, but never developed. The PD zoning district allows for the development of “Multi-Family” Land Uses, with the approval of a Site Plan by the Planning & Zoning Commission and City Council. Bedroom counts are not restricted by the PD. Planned Development Ordinance 2281 includes a 5.5 acres General Retail tract that is not proposed to be developed as part of this Site Plan Application.

The applicant has provided a Site Plan for the subject property, which is designed for a total of 74 multi-family buildings, three (3) clubhouses and associated amenities. The Site Plan is proposed to be developed in three (3) phases. The garden-style units are proposed to be developed in the first two phases and all townhome style units are proposed to be developed as the third phase. The townhome style units are proposed to be located on a single large lot and are not proposed to be individually platted. Access between lots is proposed to be facilitated by the establishment of mutual access easements across the major internal drive-aisles connecting each lot. The site has

also been designed to meet the minimum interior and exterior setback requirements of the Multi-Family-1 (MF-1) zoning district; which is the base zoning of the PD. Dumpsters screened by 6'8" masonry walls and landscaping have been spaced throughout the development, as required by the Waxahachie Zoning Ordinance.

The Site Plan has also been designed to account for right-of-way (ROW) dedication for FM 878 and FM 879, as required by the 2024 Waxahachie Thoroughfare Plan. The 2024 Thoroughfare Plan identifies both FM 878 and FM 879 as future 120', 6-lane Major Arterial thoroughfares.

The proposed Site Plan meets the minimum parking requirement for both total spaces and garage parking spaces. A total of 1,398 parking spaces are required for the development based on the unit count, of which a minimum of 699 spaces are required to be provided as an attached garage parking space. The proposal includes a total of 1,470 parking spaces, which are comprised of 1,008 garage spaces and 462 surface spaces. Each individual phase has been designed to meet its own minimum parking requirements without relying on future phases.

The applicant has provided an Elevation/Façade Plan for the proposed garden-style buildings, townhome style buildings, and clubhouse buildings. The primary exterior construction materials proposed for the development feature a combination of brick, stone and fiber cement panels. All 31 garden-style buildings utilize the same design, with color scheme being the only differentiating element between buildings. Four (4) color schemes are proposed for the garden style buildings. Similarly, the 43 proposed townhome style buildings are primarily differentiated by color scheme. Two (2) color schemes are proposed for the townhomes style buildings. The townhome style buildings can be further differentiated by lengths that vary based on the number of units in each building. All proposed structures meet the minimum articulation and design element requirements of the Waxahachie Zoning Ordinance.

The applicant proposes a total of three (3) points of access for the development. One (1) point of access is proposed on FM 878 and two (2) points of access are proposed along FM 879. The proposed points of access are spaced appropriately to meet Fire Code requirements. The applicant will be required to submit a Traffic Impact Analysis (TIA) with a future Plat and Civil Construction Permit prior to development of the site. Approval of the TIA by the City is required prior to development of the site. The TIA will identify what improvements, if any, are required for FM 878 and FM 879 to facilitate the proposed development. As part of the TIA, the need for signalization of the FM 878 and FM 879 intersection will be analyzed along with the potential need turn lanes and deceleration lanes at each proposed access point for the development.

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. A permanent irrigation system will be installed for all landscape areas.

The applicant proposes to incorporate resident amenities and open space throughout each phase of the development, as required by Section 5.05 of the Waxahachie Zoning Ordinance which requires a minimum of four (4) amenities for each phase of the development. Specific amenities include a resident club house, exercise facilities, swimming pools, sports courts, picnic areas, and trails. The applicant proposes to install the Club House and Pool amenities immediately with each associated phase of development. The third amenity item for each phase is proposed to be installed prior to the issuance of 50% of the Certificates of Occupancy (CO's) for the associated phase. The fourth

amenity item for each phase is proposed to be installed prior to the issuance of 70% of the Certificates of Occupancy (CO's) for the associated phase.

The applicant proposes to install a 6' masonry screening wall along shared property lines with existing single-family residences along FM 878, as required by the Waxahachie Zoning Ordinance. A 6' masonry screening wall is also proposed along the shared property line between the multi-family and general retail tracts. All dumpsters are proposed to be screened by masonry walls at least 6'8" in height, in compliance with the Waxahachie Zoning Ordinance.

The applicant proposes to install two (2) total monument signs as part of the development. A single sign is proposed along both FM 878 and FM 879. The proposed monument signs adhere to the requirements of the Waxahachie Zoning Ordinance.

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

The applicant proposes to extend several concrete sidewalks, parking spaces, and drive-aisles through an overhead electric easement held by Brazos Electric Cooperative. These items are required to be provided as part of the development in order to meet minimum open space, parking, and access requirements. Due to this, staff has provided a recommended condition below that the applicant be required to provide the City with a Letter of Approval from Brazos Electric Cooperative for the development of these items within the overhead electric easement prior to approval of Civil Construction or Early Grading Permits.

The applicant has provided preliminary utility and grading plans to identify the proposed utility and drainage infrastructure necessary to facilitate the development. The preliminary plans have demonstrated the feasibility of the infrastructure design for the development, based on the proposed site plan. The applicant proposes to utilize a combination of a detention pond and underground detention areas to account the additional run-off from the proposed development fully within the subject property. The final utility and grading plans will be reviewed and approved by the Public Works and Engineering Department with a future Civil Construction Permit.

Mayor Wallace inquired about entry and exit points for the proposed development, and Mr. Robertson confirmed it meets Fire Code requirements. Councilman Wright asked about the approval timeline, and Mr. Robertson noted the Planned Development (PD) was adopted in 2005. Councilman Smith proposed including a \$10 million animal shelter as part of the project and voiced opposition to adding more apartments. The applicant said he would consider the shelter request, but couldn't commit. Mayor Wallace also stated her opposition to the project. The applicant explained they plan to build one-bedroom and studio units to reduce impact on the school district, with a 24-month build cycle per phase over three phases (approximately six years total). Councilman Wright asked about the potential sale of the commercial portion and requested PD deadlines for future proposals.

The applicant stated they purchased the property three years ago and believe staying within the existing PD is the best option. Mr. Brooks clarified the zoning is already in place, and the Council is only reviewing the site plan, which must be approved administratively if it meets requirements.

City Attorney Terry Welch confirmed that zoning cannot be revoked without the owner's request, and the site plan cannot be denied if it complies. The applicant clarified the retail component has a separate site plan. Mr. Welch and Mr. Robertson confirmed that the applicant is meeting the minimum standards of the current PD. Staff also noted that higher density was discouraged and the current design meets today's minimum requirements. Mayor Wallace concluded by stating that if this had not been approved 20 years ago, she would not support it today.

Action:

Chris Wright moved to approve SP-68-2025, a Site Plan for Alpine Meadows, subject to the conditions the staff report, authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried 3-2 with Tres Atkins and Travis Smith voting in opposition.

15. Consider Development Agreement for SP-68-2025

Action:

Chris Wright moved to approve the Development Agreement for SP-68-2025. Motion was seconded by Patrick Souter and carried 3-2 with Tres Atkins and Travis Smith voting in opposition.

16. Public Hearing on a request by Aaron Pass for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Future Development (FD) zoning district located at 1664 FM 387 (Property ID 303204) - Owner: Tyler Carter (ZDC-106-2025)

Mr. Robertson presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct an accessory structure which exceeds seven hundred (700) square feet at 1664 FM 387. The City of Waxahachie Zoning ordinance requires City Council to approve a SUP to allow accessory structures over 700 square feet in size.

According to the Ellis County Appraisal District, the existing single-family dwelling is approximately 5,622 square feet. The proposed accessory structure is two-story and has a total floor area of 4,000 square feet. The proposed accessory structure does meet the requisite setback requirements of the Waxahachie Zoning Ordinance for accessory structures in Future Development (FD) zoning districts. The accessory structure is comprised almost entirely of metal r-panel, with High Stone Wainscot making up the base of the proposed structure, and is proposed to be used for storage and a hobby space. The applicant proposes to extend the concrete driveway from their existing home to the proposed accessory structure.

The applicant has confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be sold or leased separately from the existing primary structure. According to the applicant's revised Operational Plan, Oncor has advised the applicant that the structure will not be able to use the same meter for both the primary and proposed accessory structure due to the power demand. Oncor has advised the installation of a separate, non-residential electric meter for the accessory structure. Lastly, the applicant also noted that this structure will not be used for commercial purposes.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the

request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received zero (0) letters of opposition and zero (0) letters of support for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 8:50 p.m.

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

There being no others to speak for or against ZDC-91-2024, Mayor Wallace closed the Public Hearing at approximately 8:52 p.m.

17. Consider proposed Ordinance approving ZDC-106-2025

ORDINANCE NO. 3681

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING SEVEN HUNDRED (700) SQUARE FEET USE WITHIN THE FUTURE DEVELOPMENT (FD) ZONING DISTRICT, LOCATED AT 1664 FM 387, BEING PROPERTY ID 303204, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK A OF THE MONTES ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-106-2025, Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet in use, subject to the conditions of the staff report, authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (5-0).

- 18. Convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including the appointment, evaluation, duties or dismissal of any member of a City board or commission, and selection of a City Manager, all as permitted by Texas Government Code Section 551.074; to consult with the City Attorney about anticipated and pending litigation; to consult with the City Attorney regarding legal issues associated with land development and annexation issues; 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 8:59 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; to consult with the City Attorney about anticipated and pending litigation; to consult with the City Attorney regarding legal issues associated with land development and annexation issues; 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.

19. Reconvene and take any necessary action

The meeting reconvened at 10:12 p.m.

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

Missy Phillips thanked the City Council for the opportunity to serve as Honorary Council Member.

Council Member Chris Wright expressed his appreciation to Missy Phillips for her dedicated service to the community and also thanked City staff for their work on the Trunk-a-Palooza event.

Mayor Pro Tem Patrick Souter also thanked Missy Phillips for her commitment and contributions to the community.

Council Members Travis Smith and Tres Atkins each extended their thanks to Missy Phillips for her extensive service and ongoing dedication to Waxahachie.

Deputy City Manager Albert Lawrence congratulated Leila Cole, Marina Borrego, and the Finance Department for their outstanding work. He also commended all City staff for their professionalism and commitment to continuing education.

Interim City Manager Ricky Boyd thanked staff for the success of the Trunk-a-Palooza event and invited the public to attend the Crossroads of Texas Go Texan Music Festival on October 25th in Downtown Waxahachie. He also reminded everyone about the upcoming City Council Work Session scheduled for October 22nd at 8 a.m. at the Waxahachie Civic Center. Mr. Boyd noted that the Fire Department had deployed two firefighters to assist with wildfire operations in Childress, Texas, and recognized Leila Cole and Marina Borrego for their professional dedication.

Mayor Billie Wallace thanked Missy Phillips for her service to the city, congratulated the Finance Department on a significant achievement, and commended the Parks Department for their work on the new park signage.

21. Adjourn

There being no further business, the meeting adjourned at 10:12 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary