

City Council  
August 15, 2022

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, August 15, 2022 at 6:30 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1  
Chris Wright, Mayor Pro Tem, Council Member Place 3  
Patrick Souter, Council Member Place 2  
Billie Wallace, Council Member Place 4

Council Member Absent: Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Robert Brown, City Attorney  
Amber Villarreal, City Secretary

## **1. Call to Order**

Mayor David Hill called the meeting to order.

## **2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting**

City Manager Michael Scott reviewed the following agenda items:

- Item 5d, event application for 2022 Junk in the Trunk events to be held September 17, 2022 and November 19, 2022.
- Item 5e, event application for Downtown Jamboree to be held October 15, 2022 at Railyard Park.
- Item 5f, event application for “Run to be Proactive” Veteran’s Oath to be held October 15, 2022 at Getzendaner Park.
- Item 5g, event application for Hike for Life 2022 to be held October 22, 2022 at Brown Singleton Park.
- Item 5h, award of bids for one-year contracts with Befour Chemicals and Polydyne for wastewater polymers and Pencco, Inc. for hydrofluorosilicic acid.
- Item 6, proclamation proclaiming August 23, 2022 as “Martin Van Buren Davis, Sr. Day.”

Brad Barnes, Assistant Director of Parks and Recreation, reviewed Item 5i, requesting approval of a supplemental appropriation for insurance reimbursement to the Parks Department Budget in the amount of \$29,152.48 for roof replacement at the Ellis County Woman’s Building.

Richard Abernethy, Executive Director of Administrative Services, reviewed Item 5j. requesting approval of a resolution approving a negotiated settlement agreement between the Atmos Steering Committee and Atmos Energy, Mid-Tex Division.

Jennifer Pruitt, Senior Director of Planning, reviewed the following cases:

- SUB-58-2022, the applicant is requesting to plat one (1) residential lot in the Rhodes Addition, being 1.00 acres. The applicant is requesting a variance for a 25’ Front Building

Line setback due to an existing structure encroaching into the required 40' Front Building Line setback. All City lot size and dimension requirements have been met. Staff and the Planning and Zoning Commission recommended approval as presented.

- SP-55-2022, the applicant is requesting Site Plan approval to construct a two-story assisted living facility on 5.215 acres with units including 78 dwelling units for independent senior living, 59 assisted living beds, 28 memory care beds, and several amenities. She noted the western portion of the property is covered by an 80-foot TXU electric easement. The applicant has received permission from Oncor to place a dog park and additional parking spaces within the easement. The applicant is proposing to provide a sidewalk easement along Highway 77 in order to provide sidewalks that comply with City of Waxahachie requirements. Staff and the Planning and Zoning Commission recommended approval as presented.
- ZDC-47-2022, the applicant is requesting a Specific Use Permit to modify the drive-through circulation and configuration for the existing Chick-fil-A located at 996 W. Highway 287. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-52-2022, the applicant is requesting a Specific Use Permit to expand an existing heavy machinery and equipment sales and rental business. She noted the applicant is requesting a variance to allow for gravel along the perimeter of the new storage area intended to be used to park and store heavy equipment. The remainder of the expansion will be paved. The applicant is also requesting a variance to not screen the outdoor storage along the western property line since the property on the west currently uses that area for outdoor storage, as well. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-76-2022, the applicant is requesting a Specific Use Permit to utilize an existing accessory structure as an accessory dwelling unit. The accessory structure has been used as an accessory dwelling unit for several years, but was just recently brought to the attention of code enforcement. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-83-2022, the applicant is requesting a Specific Use Permit to construct a +700 sq. ft. accessory structure to the rear of a single-family residential lot to be used as a barn for livestock and storage. Staff and the Planning and Zoning Commission recommended approval per staff comments.
- ZDC-80-2022, the applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from Single Family Residential-2 (SF-2) to Central Area (CA) district to potentially use the location for indoor entertainment. The property owner has a prospective tenant that is interested in relocating his haunted house business to downtown Waxahachie. The plan is to operate a haunted house in October and use the facility as a skate park the remainder of the year. Ms. Pruitt noted the applicant does not plan on making any exterior changes to the building or site improvements. The tenant intends to make interior changes to occupy the building. If the request for zoning change is approved, the applicant would not be required to provide onsite parking. Although staff recognizes that the zoning change from SF-2 to CA is appropriate, staff is concerned with the use of the site, lack of enhancements and improvements to the existing building and site, and the property's proximity to the downtown core which should contribute to the character of the downtown area. If approved, all uses allowed in the use chart for Central Area District would be allowed for this location. Due to staff concerns,

staff recommended denial. The Planning and Zoning Commission recommended approval by a 5-1 vote.

Chad Tustison, Finance Director, reviewed Item 20, explaining as part of the budget process, Chapter 26 of the Property Tax Code requires taxing units to comply with truth-in-taxation laws in adopting their tax rates. Staff recommends taking a record vote to propose an ad valorem tax rate of \$0.30000 for FY 2023 and schedule a public hearing on Tuesday, August 30, 2022 at 5:30 p.m. in the City Council Chamber. The City Council will consider adoption of the tax rate for FY 2023 on September 6, 2022 at 7:00 p.m.

### **3. Adjourn**

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary