

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on ***Tuesday, January 17, 2023 at 7:00 p.m.***

Council Members: 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
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the five (5) minute time limit.***

5. ***Consent Agenda***

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of December 19, 2022
 - b. Minutes of the City Council briefing of December 19, 2022
 - c. Event application for Community Easter Sunrise Service to be held April 9, 2023 at Railyard Park
 - d. Event application for Project Shelter Walkathon to be held April 29, 2023 at Railyard Park
 - e. Event application for Hachie Gras to be held February 18, 2023
 - f. Consider Extending Existing Contract with AHI Facility Services, Inc. to Exercise the Year Five Option for Janitorial and Cleaning Maintenance Services
6. ***Introduce*** Honorary Councilmember
7. ***Recognize*** Planning Department for their Richard R. Lillie, FAICP Program for Planning Excellence Certificate of Achievement
8. ***Public Hearing*** on a request by the City of Waxahachie to adopt the Waxahachie Comprehensive Plan, including but not limited to the Future Land Use Plan, and Thoroughfare Plan

9. **Public Hearing** on a request by Priya Acharya, Wier & Associates, Inc., for a Specific Use Permit (SUP) for a restaurant with a drive-through use and a pole sign within a General Retail (GR) zoning district located at 3380 S Interstate 35 E (Property ID 284600) - Owner: DML LAND LLC (ZDC-117-2022)
10. **Consider** proposed Ordinance approving ZDC-117-2022
11. **Consider** Development Agreement for ZDC-117-2022
12. **Public Hearing** on a request by Zack Rensch, Owner of Lost Veil Tattoo, for a Zoning Change from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022)
13. **Consider** proposed Ordinance approving ZDC-158-2022
14. **Consider** supplemental appropriation for purchase of Fire Department's Command Vehicle in the amount of \$68,777.53
15. **Consider** street and parking closures for Bass Reeves filming project
16. Comments by Mayor, City Council, City Attorney and City Manager
17. Adjourn

The City Council reserves the right to go into Executive Session on any posted item. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, December 19, 2022 at 7:00 p.m.

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

Council Member Absent: David Hill, Mayor, Council Member Place 1

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

1. Call to Order

Mayor Pro Tem Chris Wright called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Reverend Polly Williams, Ministerial Alliance, gave the invocation. Council Member Patrick Souter led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

None.

5. Consent Agenda

- a. Minutes of the City Council meeting of December 5, 2022
- b. Minutes of the City Council briefing of December 5, 2022
- c. Event application for Gingerbread Trail Car Show to be held June 10, 2023 at Getzendaner Park
- d. Event application for Cars in the Park Car Show to be held July 15, 2023 at Getzendaner Park
- e. Event application for Waxahachie Fun Run Car Show to be held August 19, 2023 at Getzendaner Park
- f. Event application for St. Jude Benefit Car Show to be held September 30, 2023 at Getzendaner Park
- g. Mobile Home License Renewals for 2023
- h. Interlocal Agreement with the City of Ennis for the purchase of various goods and services
- i. Receive and accept the FY 2021-2022 Impact Fee Revenue and Expenditure Activity Report

Action:

Council Member Patrick Souter moved to approve items a. through i. on the Consent Agenda. Council Member Billie Wallace seconded, All Ayes.

6. Introduce Honorary Councilmember

Council Member Billie Wallace recognized and presented a Certificate of Appreciation to Averii Hunter as the Honorary Councilmember for December. Averii is a respectful and dedicated high school student with a demonstrated commitment to educational excellence, volunteerism, and plans to pursue a degree in Chemical Engineering from the University of Texas in Austin. Council Member Wallace thanked Averii and her mother, Wendy Johnson, for their attendance.

7. Public Hearing on a request by Christina and Hymen Wallace for a Specific Use Permit (SUP) for an accessory structure +700 sf use within a Future Development zoning district located at 241 Oak Tree Drive (Property ID 201955 & 201954) - Owner: Hymen & Christina Wallace (ZDC-138-2022)

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant is requesting a Specific Use Permit to construct an accessory structure greater than 700 square feet on the rear side of a single-family residential lot at 241 Oak Tree Drive and staff recommends approval per the following staff conditions:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.

Mayor Pro Tem Wright opened the Public Hearing.

There being no others to speak for or against ZDC-138-2022, Mayor Pro Tem Wright closed the Public Hearing.

8. Consider proposed Ordinance approving ZDC-138-2022

ORDINANCE NO. 3352

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A FUTURE DEVELOPMENT DISTRICT (FD) LOCATED AT 241 OAK TREE DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.164 ACRES KNOWN AS PROPERTY ID 171906, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Billie Wallace moved to approve Ordinance No. 3352. Council Member Travis Smith seconded, All Ayes.

9. Public Hearing on a request by Lynn Rowland, Claymoore Engineering, for a Specific Use Permit (SUP) for Outside Storage, Outside Display, and Pole Sign uses within Light Industrial-1 (LI-1) and Light Industrial-2 (LI-2) zoning districts located directly South of the intersection of Austin Road and the I-35E Service Road (Property ID: 290135 & 2554633) – Owner: PC5 Properties LLC (ZDC-68-2022)

Ms. Pruitt presented the case noting the applicant is requesting a Specific Use Permit for heavy machinery and equipment, rental, sales, or storage use, outdoor display and pole sign use. Ms. Pruitt stated the applicant provided two elevation façade options and the Planning and Zoning Commission recommended option 1. Ms. Pruitt noted the applicant voluntarily agreed to install 4" caliper street trees along the I-35E Service Road in locations where existing trees are unable to be preserved. Staff recommends approval per the following staff conditions:

1. A mutually agreed upon Development Agreement shall be required for the development.
2. The equipment stored or displayed on site shall remain in a stowed position and shall not be extended while stored or displayed on site.
3. The applicant shall preserve existing trees along the southern and eastern property lines that fall within the landscape area proposed by the applicant.
4. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.

Council Member Travis Smith asked if the request is the best and highest use of this property and if the applicant will be held to the same standards as those requests recently approved. Deputy City Manager Albert Lawrence explained the use fits in this area with surrounding zoning and the applicant is providing an upgraded landscape plan. Council Member Smith asked if the developer owns the property or is the purchase contingent upon approval of the zoning.

Lynn Rowland, Claymoore Engineering, 1903 Central Drive, Bedford, Texas, noted the developer has purchased the property.

Council Member Smith asked City Council to consider if this use will attract traffic from I35E and stated he doesn't feel this is the best and highest use for this property.

City Attorney Robert Brown explained the accompanying Development Agreement provides the City with the benefit of receiving better standards for the property.

Mayor Pro Tem Wright noted he has no issues with the request.

Council Member Souter confirmed the City has requested stipulations for storing equipment and the applicant has agreed to increased tree caliper for landscaping along I35E and Mr. Rowland concurred.

Mayor Pro Tem Wright opened the Public Hearing.

There being no others to speak for or against ZDC-68-2022, Mayor Pro Tem Wright closed the Public Hearing.

10. Consider proposed Ordinance approving ZDC-68-2022

ORDINANCE NO. 3353

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MACHINERY AND EQUIPMENT RENTAL, SALES OR STORAGE USE, AN OUTDOOR DISPLAY USE, AND A POLE SIGN USE WITHIN A LIGHT INDUSTRIAL-1 (LI-1) AND LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT, LOCATED AT THE INTERSECTION OF AUSTIN ROAD AND THE I-35E SERVICE ROAD, BEING PROPERTY ID 254633 & 290135, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2R, BLOCK A IN THE AUSTIN INDUSTRIAL PARK SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Billie Wallace moved to approve Ordinance No. 3353. Council Member Patrick Souter seconded, the vote was as follows: Ayes: Chris Wright, Patrick Souter, and Billie Wallace. Noes: Travis Smith.

The motion carried.

11. Consider Development Agreement for ZDC-68-2022

Action:

Council Member Billie Wallace moved to approve a Development Agreement for ZDC-68-2022. Council Member Patrick Souter seconded, the vote was as follows: Ayes: Chris Wright, Patrick Souter, and Billie Wallace. Noes: Travis Smith.

The motion carried.

12. Public Hearing on a request by Ramon Galaviz, for a Specific Use Permit (SUP) for an Outside Storage use within a General Retail (GR) zoning district located at 101 Tracy Lane (Property ID: 151310) – Owner: Juan M. Rosas & Guillermina Rosas (ZDC-130-2022)

Ms. Pruitt presented the case noting the applicant is requesting a Specific Use Permit to allow for an outside storage (Pecos Bill) use at 101 Tracy Lane. The retail establishment specializes in the sale of outdoor furniture and art. Ms. Pruitt noted an overhead electric easement approximately 16' in width crosses through the center of the property and the applicant has not attained permission from the easement holder to utilize the space within the easement as a storage area. Due to this, the applicant is not permitted to use the area for outside storage and is not proposing to utilize the area. Staff recommends approval per the following staff conditions:

1. Landscaping shall be installed on-site in accordance with the Landscape Plan prior to the issuance of a certificate of occupancy (CO) for Pecos Bill.
2. The portion of the site within the overhead electric easement shall not be used as a storage area.

Mayor Pro Tem Wright opened the Public Hearing.

Council Member Wallace inquired about the types of outdoor storage display.

Ramon Galaviz, 101 Tracy Lane, Waxahachie, Texas, provided images of the proposed items for outdoor storage and confirmed he was aware of the staff conditions.

There being no others to speak for or against ZDC-130-2022, Mayor Pro Tem Wright closed the Public Hearing.

13. Consider proposed Ordinance approving ZDC-130-2022

ORDINANCE NO. 3354

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN OUTSIDE STORAGE USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 101 TRACY DRIVE, BEING A PORTION OF PROPERTY ID 151310, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING PART OF LOT 1A, BLOCK 1 IN THE HILLVIEW REVISION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Travis Smith moved to approve Ordinance No. 3354. Council Member Billie Wallace seconded, All Ayes.

14. Public Hearing on a request by Dani Cagle, Texas Art & Pour, for a Specific Use Permit (SUP) for a Tavern use within a Central Area zoning district located at 109 W Franklin Street, Suite 115 (Property ID: 193341) – Owner: Mutual Pursuits LLC (ZDC-148-2022)

Ms. Pruitt presented the case noting the applicant is requesting approval of a Specific Use Permit for a tavern use for Texas Art & Pour located within the Central Area zoning district at 109 W. Franklin, Suite 115. Staff recommends approval per the following staff conditions:

1. The use shall comply with the development standards proposed with the SUP request.
2. An amendment to the SUP will be required in the event Texas Art & Pour wishes to expand beyond the footprint detailed in the Floor Plan exhibit.
3. An amendment to the SUP will be required in the event Texas Art & Pour wishes to modify its hours of operation. Texas Art & Pour has proposed to operate daily from 10:00 am to 9:00 pm.
4. A new SUP will be required to reestablish the Tavern use in the event Texas Art & Pour vacates 109 W. Franklin Street, Suite 115 or a new tenant seeks occupancy at 109 W. Franklin Street, Suite 115.
5. The applicant shall receive approval of all necessary building permits necessary to establish and operate the Tavern use.

Council Member Smith inquired about staff's recommendation of hours of operation and Ms. Pruitt clarified the hours were provided by the applicant and were initially more limited.

Mayor Pro Tem Wright opened the Public Hearing.

Dani Cagle, 700 N. Gibson, Waxahachie, Texas, expressed her preference to not have her business operation hours regulated.

Mr. Lawrence explained minimum operating hours were regulated in agreements with City owned properties to revitalize downtown and to address the public requests for longer hours.

Those who spoke in favor:

Kevin Ivey, 1980 E. Highland Road, Waxahachie, Texas

Ms. Pruitt explained City Council can remove staff condition number 3 in their motion.

There being no others to speak for or against ZDC-148-2022, Mayor Pro Tem Wright closed the Public Hearing.

15. Consider proposed Ordinance approving ZDC-148-2022

ORDINANCE NO. 3355

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A TAVERN USE WITHIN A CENTRAL AREA (CA) ZONING DISTRICT, LOCATED 109 W FRANKLIN STREET, SUITE 115, BEING PROPERTY ID 193341, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A PORTION OF LOTS A, 4A, 4B, 5A, & 5B, BLOCK 15 IN THE ORIGINAL TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Travis Smith moved to approve Ordinance No. 3355, striking staff condition number 3 and approve as presented. Council Member Patrick Souter seconded, All Ayes.

16. Consider proposed Ordinance amending Water, Sewer, and Roadway Impact Fees

James Gaertner, Executive Director of Public Works and Engineering, explained Water, Sewer, and Roadway Impact Fees are reviewed and updated every five years. He reviewed the table below identifying the current collection of impact fees:

	Current Fees	Percent of Maximum Allowed	Proposed Fee	Percent of Maximum Allowed
Water	\$2,216	67.66%	\$3,275	100%
Wastewater	\$2,321	61.39%	\$3,781	100%
Roadway*	\$1,103	92.22%	\$1,196	100%

*Roadway Impact fee is the average of the Service Area Fees

Mr. Gaertner provided a comparison to other cities regarding Water, Wastewater, and Roadway Impact Fee assessments and noted the City needs a funding plan to pay for the Capital Improvement Projects. Staff recommends increasing Impact Fees to the maximum calculated rates allowed. The proposed increase to developers and future residents would be effective April 2023 and will relieve the burden from existing tax payers.

Council Member Smith reiterated Impact Fees are only assessed on new developments and are not an increase to existing tax payers and Mr. Gaertner concurred. Mr. Smith recognized approximately \$2.8 million was not collected in FY 22 due to the maximum rate not being collected. He noted increasing the Impact Fees for developers is the fiscally responsible approach so current tax payers aren't affected.

Betty Square Coleman, 116 Bradshaw, Waxahachie, Texas, asked if Roadway Impact Fees must be spent in the areas they are collected. Mr. Gaertner explained that Water and Wastewater Impact Fees can be used on the City-wide system for improvements needed due to growth. He noted Roadway Impact Fees must be used in the Service Areas they are collected from and must be used for growth related projects.

ORDINANCE NO. 3356

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING REVISED COLLECTION SCHEDULES FOR WATER, WASTEWATER, AND ROADWAY IMPACT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Action:

Council Member Billie Wallace moved to approve Ordinance No. 3356. Council Member Travis Smith seconded, All Ayes.

17. Consider TxDOT land purchase of City right-of-way (0.288 acres) located on the east side of Highway 664, south of Bob White Lane

Mr. Gaertner requested approval of TxDOT's land purchase of City right-of-way (0.288 acres) located on the east side of Highway 664, south of Bob White Lane. He explained TxDOT is acquiring property along FM 664 (Ovilla Road) for a road widening project and TxDOT is requesting approval for the acquisition of the City's right-of-way in the amount of \$15,839. Based on a 3rd party appraisal for the City's right-of-way, staff feels that the sale amount is acceptable.

Action:

Council Member Billie Wallace moved to approve TxDOT land purchase of City right-of-way (0.288 acres) located on the east side of Highway 664, south of Bob White Lane. Council Member Travis Smith seconded, All Ayes.

18. Receive Fiscal Year 2022 4th Quarter Financial Report

Chad Tustison, Senior Director of Finance, reviewed Item 18, the preliminarily 4th quarter fiscal year 2022 financial report. He noted the report covers the period from October 2021 through September 2022 and highlights the General Fund, Water and Wastewater Funds, Waxahachie Community Development Corporation Fund, Hotel/Motel Fund, and the Tax Increment Reinvestment Zone Fund. He explained the annual audit is anticipated to be completed and presented to City Council in March 2023. In summary, the City's financial position is positive in all funds. He reviewed the following:

- Revenues total \$55.8 million, which represents an increase of \$2.3 million over the same period last year.
- Property tax collections accounted for approximately 38% of the City's revenue.
- Sales tax is the second largest revenue source, accounting for over 37% of the City's General Fund.
- Licenses and permitting revenue are lower than FY 2021 due to a softening in permit activity for single-family residential development.
- Interest income has increased coinciding with the interest rate increases by the Federal Reserve.
- Expenditures total \$65.9 million (1.5% below the revised budget).
- Water and Wastewater Funds, revenue has come in higher than budget.
- Waxahachie Community Development Corporation revenues are 5.7% over the revised budget due to higher than anticipated sales tax, healthy bookings at the Civic Center and additional interest income.
- Hotel/Motel Tax revenues are up significantly over the last year by \$197,000, or 23%. Expenditures are over budget by less than 2%. Because the Arts Council receives 25% of the hotel occupancy tax, and since revenues came in higher than budgeted, the additional payment is offset by the additional revenue collected.

Mayor Pro Tem Wright asked if water revenue is deposited into a restricted account and Mr. Tustison confirmed it is deposited in a restricted water fund.

Action:

Council Member Billie Wallace moved accept the Fiscal Year 2022 4th Quarter Financial Report. Council Member Patrick Souter seconded, All Ayes.

19. Comments by Mayor, City Council, City Attorney and City Manager

Council Member Travis Smith thanked City staff for a great year and the employee Christmas luncheon.

Council Member Billie Wallace thanked Averii Hunter, and her mother Wendy Johnson, for their attendance. She also acknowledged City staff for addressing complaints and thanked City employees for their work.

Deputy City Manager acknowledged the work of the Employee Engagement Committee and the Human Resources Department for their work on the City Employee Christmas Luncheon.

Council Member Patrick Souter encouraged everyone to review the draft Comprehensive Plan on the City website. He thanked Averii Hunter and her mother for their attendance. Mr. Souter noted it is an honor to work with a great City staff and wished Mayor David Hill well on his recovery.

City Attorney Robert Brown encouraged City Council to use the provided motions recommended by staff, unless a Council Member does not agree. He noted the staff provided motions clearly identify and incorporate what is being approved.

Averii Hunter thanked Council Member Billie Wallace and City Council for allowing her to participate as Honorary Council Member and learn more about the City.

Mayor Pro Tem Chris Wright thanked Reverend Polly Williams and Averii Hunter for their participation at the City Council meeting. He also acknowledged Senior Finance Director Chad Tustison and his department for their work on the 4th Quarter Financial Report. Mayor Pro Tem Wright encouraged citizens to fully read the draft Comprehensive Plan and thanked the Police Department and Fire Department for their appreciation efforts. Mr. Wright explained requested City Council action on a request from the public is discussed by staff and thoroughly vetted prior to adding to a City Council agenda and must follow a review process.

City Council and staff wished everyone a safe and Happy Holidays.

20. Adjourn

There being no further business, the meeting adjourned at 8:26 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

City Council
December 19, 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, December 19, 2022 at 6:00 p.m.

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

Council Members Absent: David Hill, Mayor, Council Member Place 1
Travis Smith, Council Member Place 5

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

1. Call to Order

Mayor Pro Tem Chris Wright called the meeting to order.

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

Deputy City Manager Albert Lawrence reviewed the following agenda items:

- Item 5c, event application for Gingerbread Trail Car Show to be held June 10, 2023 at Getzendaner Park.
- Item 5d, event application for Cars in the Park Car Show to be held July 15, 2023 at Getzendaner Park.
- Item 5e, event application for Waxahachie Fun Run Car Show to be held August 19, 2023 at Getzendaner Park.
- Item 5f, event application for St. Jude Benefit Car Show to be held September 30, 2023 at Getzendaner Park.
- Item 5g, Mobile Home License renewals for 2023.
- Item 5h, Interlocal Agreement with the City of Ennis for the purpose of various goods and services.
- Item 5i, receive and accept the FY 2021-2022 Impact Fee Revenue and Expenditure Activity Report as recommended by the Impact Fee Capital Improvements Advisory Committee.

James Gaertner, Executive Director of Public Works and Engineering, reviewed the following items:

- Item 16, Mr. Gaertner explained Water, Sewer, and Roadway Impact Fees are reviewed and updated every five years. He reviewed the table below identifying the current collection of impact fees:

(5b)

	Current Fees	Percent of Maximum Allowed	Proposed Fee	Percent of Maximum Allowed
Water	\$2,216	67.66%	\$3,275	100%
Wastewater	\$2,321	61.39%	\$3,781	100%
Roadway*	\$1,103	92.22%	\$1,196	100%

*Roadway Impact fee is the average of the Service Area Fees

Mr. Gaertner provided a comparison to other cities regarding Water, Wastewater, and Roadway Impact Fee assessments and noted the City needs a funding plan to pay for the Capital Improvement Projects. Staff recommends increasing Impact Fees to the maximum calculated rates allowed. The proposed increase to developers and future residents would be effective April 2023 and will relieve the burden from existing tax payers.

- Item 17, requesting approval of TxDOT land purchase of City right-of-way (0.288 acres) located on the east side of Highway 664, south of Bob White Lane. He explained TxDOT is acquiring property along FM 664 (Ovilla Road) for a road widening project and TxDOT is requesting approval for the acquisition of the City's right-of-way in the amount of \$15,839. Based on a 3rd party appraisal for the City's right-of-way, staff feels that the sale amount is acceptable.

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

- ZDC-138-2022, the applicant is requesting a Specific Use Permit to construct an accessory structure greater than 700 square feet on the rear side of a single-family residential lot at 241 Oak Tree Drive and staff recommends approval per staff conditions.
- ZDC-68-2022, the applicant is requesting a Specific Use Permit for heavy machinery and equipment, rental, sales, or storage use, outdoor display and pole sign use. Ms. Pruitt stated the applicant provided two elevation façade options and the Planning and Zoning Commission recommended option 1. Ms. Pruitt noted the applicant agreed to increase the tree calipers identified on the Landscape Plan and staff recommends approval per staff conditions.
- ZDC-130-2022, the applicant is requesting a Specific Use Permit to allow for an outside storage (Pekos Bill) use at 101 Tracy Lane. The retail establishment specializes in the sale of outdoor furniture and art. Ms. Pruitt noted an overhead electric easement approximately 16' in width crosses through the center of the property and the applicant has not attained permission from the easement holder to utilize the space within the easement as a storage area. Due to this, the applicant is not permitted to use the area for outside storage and is not proposing to utilize the area. Ms. Pruitt stated one letter of opposition and two letters of support were received and staff recommends approval per staff conditions.
- ZDC-148-2022, the applicant is requesting approval of a Specific Use Permit for a tavern use for Texas Art & Pour located within the Central Area zoning district at 109 W. Franklin, Suite 115. Staff recommends approval per staff conditions.

Chad Tustison, Senior Director of Finance, reviewed Item 18, the preliminarily 4th quarter fiscal year 2022 financial report. He noted the report covers the period from October 2021 through September 2022 and highlights the General Fund, Water and Wastewater Funds, Waxahachie Community Development Corporation Fund, Hotel/Motel Fund, and the Tax Increment

(5b)

Reinvestment Zone Fund. He explained the annual audit is anticipated to be completed and presented to City Council in March 2023. In summary, the City's financial position is positive in all funds. He reviewed the following:

- Revenues total \$55.8 million, which represents an increase of \$2.3 million over the same period last year.
- Property tax collections accounted for approximately 38% of the City's revenue.
- Sales tax is the second largest revenue source, accounting for over 37% of the City's General Fund.
- Licenses and permitting revenue are lower than FY 2021 due to a softening in permit activity for single-family residential development.
- Interest income has increased coinciding with the interest rate increases by the Federal Reserve.
- Expenditures total \$65.9 million (1.5% below the revised budget).
- Water and Wastewater Funds, revenue has come in higher than budget.
- Waxahachie Community Development Corporation revenues are 5.7% over the revised budget due to higher than anticipated sales tax, healthy bookings at the Civic Center and additional interest income.
- Hotel/Motel Tax revenues are up significantly over the last year by \$197,000, or 23%. Expenditures are over budget by less than 2%. Because the Arts Council receives 25% of the hotel occupancy tax, and since revenues came in higher than budgeted, the additional payment is offset by the additional revenue collected.

3. Adjourn

There being no further business, the meeting adjourned at 6:48 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted

Applicant Information

Applicant name: Waxahachie Bible Church/ Jim Markle

Are you representing the host organization? Yes ☒ No ☐

Will you be the on-site point of contact during the event? Yes ☒ No ☐

Phone: 2145420489 Cell: 2145420489

Email: jim.markle@waxahachiebible.org

Mailing address: PO Box 826 Waxahachie 75168

Host organization name: Waxahachie Bible Church

Alternate contact that will be on-site during the event.

On-site contact name: Bill Schoneman Cell: 4695308160

About the Event

Event name: Community Easter Sunrise Service

Location: Railyard Park

*An event site map is **REQUIRED** to be submitted with your application.*

Anticipated attendance: 200

Description of event: Community Sunrise service for Easter Morning. Will include a few Praise songs as well as a brief sermon and prayer.

How many times has this event been hosted before?

1st time ☐ 2 – 4 times ☒ 5 or more times ☐ Location:

Choose the best description of the event:

- | | |
|---------------------------------------|---|
| <input type="radio"/> Festival | <input type="radio"/> Birthday Party / Picnic |
| <input type="radio"/> Movie Screening | <input type="radio"/> Charitable / Fundraising |
| <input type="radio"/> Parade | <input checked="" type="radio"/> Community / Neighborhood |
| <input type="radio"/> Private Event | <input type="radio"/> Concert / Live Performance |
| <input type="radio"/> Run / Walk | <input type="radio"/> Other: |

(5C)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Amusement rides / Inflatables | <input type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input checked="" type="checkbox"/> Information / Literature Distribution | <input type="checkbox"/> Street closure |
| <input type="checkbox"/> DJ / Recorded Music | <input type="checkbox"/> Other: |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket |

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	April 9, 2023	7 AM	8:30 AM
Event Set-up	April 9, 2023	5 AM	8 AM
Event Breakdown	April 9, 2023	8:30 AM	9 AM

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile _____ 5K _____ Other distance

Please indicate your expected attendance: _____

Number of participants:

- | | |
|---------|----------------------------------|
| 1-99 | <input type="radio"/> |
| 100-199 | <input checked="" type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+ | <input type="radio"/> |

Provide route on attached site map.

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

Food / Beverage:

Will the event offer food/beverages? Yes ☐ No ☒
Will event require any food preparation on-site? Yes ☐ No ☒
Will alcohol be served/sold? Yes ☐ No ☒

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: 0 Date(s) & time(s): _____

Volunteers How many: 0 Date(s) & time(s): _____

Private security How many: 0 Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: _____ Date(s) & time(s): _____

Have you made arrangements with the police? Yes ☐ No ☒

If no, please contact Sgt. Brian Fuller at bfuller@waxahachiepd.org to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes ☐ No ☒

If yes, please list all streets, intersections, and parking lots that apply: _____

Street closings to begin on date: _____ Start time: _____ End time: _____

Will any businesses be impacted by the proposed road closure? Yes ☐ No ☐

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes ☐ No ☒

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up? _____

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: _____ Time: _____

When will the traffic equipment be removed?

Date: _____ Time: _____

Are you requesting the use of City traffic equipment?

Yes ☐ No ☒

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes ☐ No ☒

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator ☒ Franchise Utilities ☐ Both ☐

List contractor / supplier:

We have our own generator

Explain services in detail:

We would like to use the electric at the park if available.

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, its officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, its officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Jami Bonner
Signature

1/6/2023
Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Jami Bonner
Signature

1/6/2023
Date

Email completed Special Event Application and site map to Jami Bonner at jami.bonner@waxahachie.com.

Crocker, Clarice

From: Mosley, Laurie
Sent: Friday, January 6, 2023 11:36 AM
To: Crocker, Clarice; Martinez, Gumaro; Cooper, Kyle; Campos, Yadira; Boyd, Ricky; Joe Bill Wiser; Thomas Griffith; Daniel Frisby; Simpson, Anita; Gaertner, James
Cc: Scott, Michael; Lawrence, Albert; Villarreal, Amber; Bonner, Jami
Subject: RE: Applications

My department is OK with him utilizing Railyard Park on that date as long as it does not require any city staff to work from any department being that it is Easter Sunday.

Thank you!

Laurie Mosley, CTE
Director
Waxahachie Convention & Visitors Bureau
2000 Civic Center Lane
Waxahachie, TX 75165
Office: 469-309-4046

-----Original Message-----

From: Crocker, Clarice <ccrocker@waxahachie.com>
Sent: Friday, January 6, 2023 11:29 AM
To: Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Thomas Griffith <tgriffith@waxahachiepd.org>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Subject: FW: Applications

Good morning,

For your review / comments.

Thank you,

Clarice Crocker
Records Coordinator
City of Waxahachie
Office: (469) 309-4008
ccrocker@waxahachie.com

Confidentiality Notice: This e-mail message and all attachments transmitted with it are intended solely for the use of the addressee and may contain privileged and confidential information. If the reader of this message is

(5c)

Crocker, Clarice

From: Gaertner, James
Sent: Friday, January 6, 2023 12:24 PM
To: Mosley, Laurie
Cc: Crocker, Clarice; Martinez, Gumaro; Cooper, Kyle; Campos, Yadira; Boyd, Ricky; Joe Bill Wiser; Thomas Griffith; Daniel Frisby; Simpson, Anita; Scott, Michael; Lawrence, Albert; Villarreal, Amber; Bonner, Jami
Subject: Re: Applications

I don't have any comments

James G

> On Jan 6, 2023, at 11:35 AM, Mosley, Laurie <lmosley@waxahachiecvb.com> wrote:

>

> My department is OK with him utilizing Railyard Park on that date as long as it does not require any city staff to work from any department being that it is Easter Sunday.

>

> Thank you!

>

> Laurie Mosley, CTE

> Director

> Waxahachie Convention & Visitors Bureau

> 2000 Civic Center Lane

> Waxahachie, TX 75165

> Office: 469-309-4046

>

>

>

> -----Original Message-----

> From: Crocker, Clarice <ccrocker@waxahachie.com>

> Sent: Friday, January 6, 2023 11:29 AM

> To: Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Thomas Griffith <tgriffith@waxahachiepd.org>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>

> Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>

> Subject: FW: Applications

>

> Good morning,

>

> For your review / comments.

>

> Thank you,

>

> Clarice Crocker

(5c)

Crocker, Clarice

From: Boyd, Ricky
Sent: Friday, January 6, 2023 12:35 PM
To: Crocker, Clarice
Subject: RE: Applications

I have no concerns with this request.

Ricky Boyd, Fire Chief
Waxahachie Fire-Rescue
214-463-9335

-----Original Message-----

From: Crocker, Clarice <ccrocker@waxahachie.com>
Sent: Friday, January 6, 2023 11:29 AM
To: Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Thomas Griffith <tgriffith@waxahachiepd.org>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Subject: FW: Applications

Good morning,

For your review / comments.

Thank you,

Clarice Crocker
Records Coordinator
City of Waxahachie
Office: (469) 309-4008
ccrocker@waxahachie.com

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-----Original Message-----

From: Jim Markle <Jim.Markle@waxahachiebible.org>
Sent: Friday, January 6, 2023 11:19 AM
To: City Secretary <citysecretary@waxahachie.com>
Subject: FW: Applications



City of Waxahachie
City Secretary's Office

(5d)

Special Event Application

Date submitted 11/16/20

Applicant Information

Applicant name: Rhonda Miller

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☒

No ☐

Phone: 972-938-3391

Cell: 214-868-2574

Email:

Mailing address: 2029 Old Maypearl Rd, Waxahachie 75167

Host organization name: Ellis County Homeless Coalition

Alternate contact that will be on-site during the event.

On-site contact name: Frances Stuart

Cell: 469-360-8538

About the Event

Event name: Project Shelter Walkathon

Location: Railyard Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 50

Description of event: We will be taking donations and have food trucks and live music/entertainment

How many times has this event been hosted before?

1st time ☐ 2 – 4 times ☒ 5 or more times ☐ Location: Railyard Park

Choose the best description of the event:

☐ Festival

☐ Birthday Party / Picnic

☐ Movie Screening

☒ Charitable / Fundraising

☐ Parade

☐ Community / Neighborhood

☐ Private Event

☐ Concert / Live Performance

☐ Run / Walk

☐ Other:



City of Waxahachie
City Secretary's Office

(5d)

Special Event Application

Event activities include (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Amusement rides / Inflatables | <input checked="" type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input checked="" type="checkbox"/> Information / Literature Distribution | <input checked="" type="checkbox"/> Street closure |
| <input type="checkbox"/> DJ / Recorded Music | <input type="checkbox"/> Other: |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket |

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	4-29-23	8am	2pm
Event Set-up		7am	8am
Event Breakdown		2pm	2:30pm

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile _____ 5K optional Other distance _____

Please indicate your expected attendance:

50

Number of participants:

- | | |
|---------|----------------------------------|
| 1-99 | <input checked="" type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+ | <input type="radio"/> |

Provide route on attached site map.



Food / Beverage:

Will the event offer food/beverages? Yes ☒ No ☐
Will event require any food preparation on-site? Yes ☐ No ☒
Will alcohol be served/sold? Yes ☐ No ☒

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: _____ Date(s) & time(s): _____
Volunteers How many: _____ Date(s) & time(s): _____
Private security How many: _____ Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: _____ Date(s) & time(s): _____

Have you made arrangements with the police? Yes ☐ No ☒

If no, please contact Sgt. Brian Fuller at bfuller@waxahachiepd.org to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes ☒ No ☐

If yes, please list all streets, intersections, and parking lots that apply: _____

College St. bordering Railyard Park

Street closings to begin on date: 4/29/23 Start time: 7:30am End time: 2:30pm

Will any businesses be impacted by the proposed road closure? Yes ☐ No ☐

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes ☐ No ☒

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up?



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?
When will the traffic equipment be removed?
Are you requesting the use of City traffic equipment?

Date: _____ Time: _____
Date: _____ Time: _____
Yes ☐ No ☐

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes ☐ No ☒

List the # of tents & sizes: tents are 12x12 and ministry partners may also have tents

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied? Generator ☐ Franchise Utilities ☐ Both ☐

List contractor / supplier:

Explain services in detail: will need to use the electricity available for the stage

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Rhonda Miller

Signature

Rhonda Miller 11/16/22

Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Rhonda Miller

Signature

Rhonda Miller 11/16/22

Date

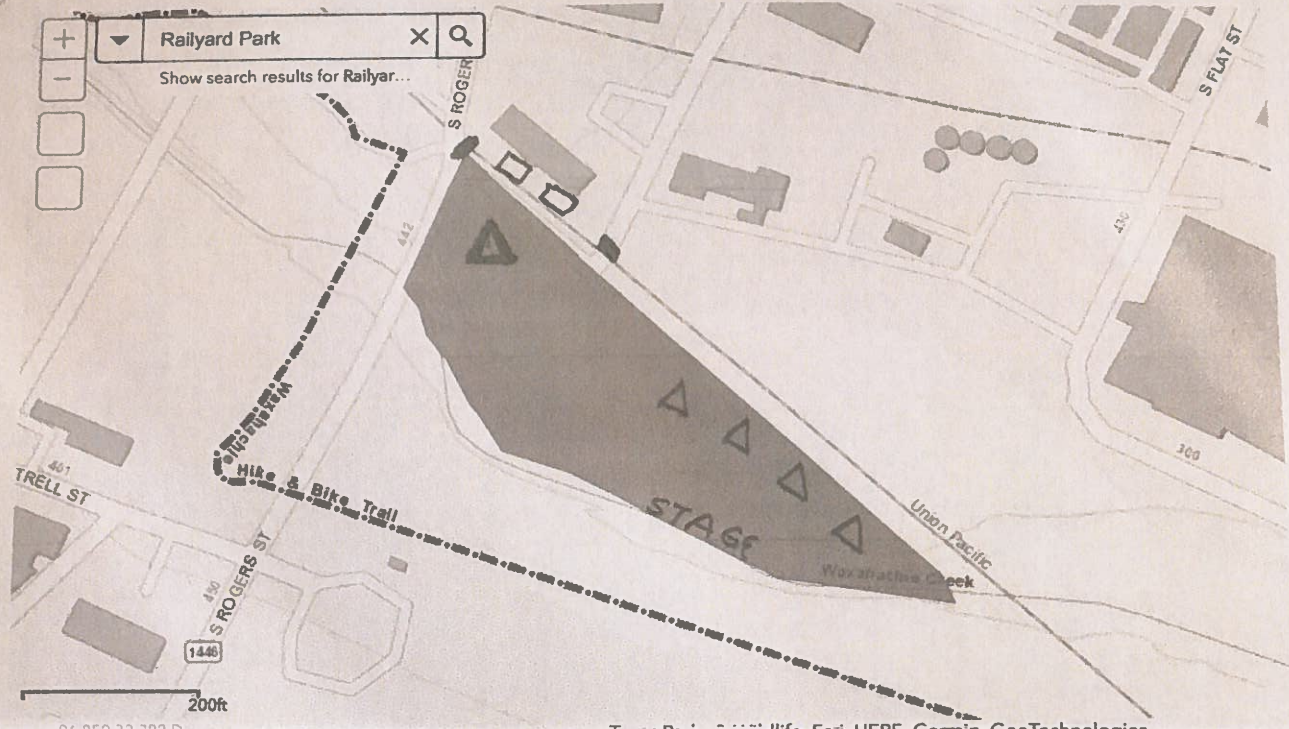
Email completed Special Event Application and site map
to Jami Bonner at jami.bonner@waxahachie.com.

(5d)



Park Finder Map

Parks & Recreation Department, City of Waxahachie. Contact: 469-309-4270



Road blockage



Food trucks



ECHC Tent



Tents of partner nonprofits

STAGE

Band/entertainment

WALKING TRAIL = Hike + Bike TRAIL

(5d)

Bonner, Jami

From: Rhonda Miller
Sent: Monday, December 19, 2022 2:13 PM
To: Bonner, Jami
Subject: Re: Pics

Hi Jami,

We have 2 other dates to check on to see if they would work for the Ellis County Homeless Coalition Walkathon at Railyard Park:

April 29

Thanks so much,
Rhonda Miller

On Dec 14, 2022, at 3:16 PM, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

Thank you. Our office will be open Monday – Thursday next week. Please call me if you have any questions. (469) 309-4005.

From: Rhonda Miller
Sent: Wednesday, December 14, 2022 3:15 PM
To: Bonner, Jami <jami.bonner@waxahachie.com>
Subject: Re: Pics

Jami,

Thank you for letting me know. I'm out of town, but will be able to answer you next week.

Have a blessed day,
Rhonda Miller
EHC

Sent from my iPhone

On Dec 13, 2022, at 2:08 PM, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

Good afternoon Rhonda,

I wanted to reach out in regards to staff feedback I have received in regards to your event application for "Project Shelter Walkathon". There is a large annual event to be held the same day in Downtown that may cause congestion for your event. Is there another date you could consider for your event?

(5d)

Bonner, Jami

From: Joe Bill Wiser
Sent: Friday, November 18, 2022 2:14 PM
To: Bonner, Jami
Subject: RE: Event Application - Project Shelter Walkathon 5.6.23

No Concerns.

From: Bonner, Jami
Sent: Friday, November 18, 2022 12:59 PM
To: Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; BuildingAndCommunityServices <bcservices@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Project Shelter Walkathon 5.6.23

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5d)

Bonner, Jami

From: Gaertner, James
Sent: Friday, November 18, 2022 2:56 PM
To: Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Martinez, Gumaro; Cooper, Kyle; Campos, Yadira; Jordan, Me'Lony; Massey, Matt; Joe Bill Wiser; Boyd, Ricky; BuildingAndCommunityServices
Cc: Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Project Shelter Walkathon 5.6.23

I don't have any comments.

James Gaertner, PE, CFM, CPM
Executive Director of Public Works & Utilities
Office: 469-309-4301
jgaertner@waxahachie.com

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Friday, November 18, 2022 12:59 PM
To: Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; BuildingAndCommunityServices <bcservices@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Project Shelter Walkathon 5.6.23

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5d)

Bonner, Jami

From: Boyd, Ricky
Sent: Friday, November 18, 2022 3:46 PM
To: Bonner, Jami
Subject: Re: Event Application - Project Shelter Walkathon 5.6.23

No concerns

Sent from my iPhone

On Nov 18, 2022, at 12:58, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

<EA2023.05.06 Project Shelter Walkathon.pdf>

(5d)

Bonner, Jami

From: Martinez, Gumaro
Sent: Friday, November 18, 2022 3:38 PM
To: Bonner, Jami; Skistimas, Kelly; Mosley, Laurie; Cooper, Kyle; Campos, Yadira; Jordan, Me'Lony; Massey, Matt; Gaertner, James; Joe Bill Wiser; Boyd, Ricky; BuildingAndCommunityServices
Cc: Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Project Shelter Walkathon 5.6.23

No comments



From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Friday, November 18, 2022 12:59 PM
To: Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; BuildingAndCommunityServices <bcservices@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Project Shelter Walkathon 5.6.23

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5d)

Bonner, Jami

From: Cooper, Kyle
Sent: Monday, November 21, 2022 8:02 AM
To: Bonner, Jami
Subject: RE: Event Application - Project Shelter Walkathon 5.6.23

No comments from parks.



Kyle Cooper, CPRP
Senior Director
Parks and Recreation
City of Waxahachie
469-309-4277
972-268-4549
Kyle.Cooper@waxahachie.com

From: Bonner, Jami
Sent: Friday, November 18, 2022 12:59 PM
To: Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; BuildingAndCommunityServices <bcservices@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Project Shelter Walkathon 5.6.23

For your review / comments. Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com



Date submitted

Applicant Information

Applicant name:

Wayne Strickland

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☒

No ☐

Phone:

972-814-0605

Cell:

Email:

Mailing address:

210 N. College St.

Host organization name:

Waxahachie Food

Alternate contact that will be on-site during the event.

On-site contact name:

Richard Womack

Cell:

469-360-5383

About the Event

Event name:

Hachie Gras! (Downtown Mardi Gras celebration)

Date:

February 18th 2023

Location:

Downtown Waxahachie

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance:

~ 1,000+ - weather permitting

Description of event:

Mardi Gras celebration hosted @ each participants location. Food; music; Beads; Pedi-CABS.

	Date(s)	Start Time:	End Time:
Event Date	2/18/2023	~ 11:00am	~ 10:00pm
Event Set-up	N/A		
Event Breakdown	N/A		

How many times has this event been hosted before?

1st time ☐

2 - 4 times ☒

5 or more times ☐

Location:

NOTE: Parade Route T.B.D.



Choose the best description of the event:

- ☒ Festival
☐ Movie Screening
☒ Parade
☐ Private Event
☐ Run / Walk
☐ Birthday Party / Picnic
☐ Charitable / Fundraising
☐ Community / Neighborhood
☐ Concert / Live Performance
☒ Other:

Event activities include (check all that apply):

- ☐ Amusement rides / Inflatables
☐ Animals / Petting Zoo
☐ Announcement / Speeches
☐ Information / Literature Distribution
☐ DJ / Recorded Music
☒ Food – sampled, served, or sold *At participating locations*
☐ Products / Services – given away, sampled, or sold
☒ Live music *At participating locations*
☐ Street closure
☐ Other:

The event is:

- ☐ Private
☒ Free & open to the general public
☐ Entry by participation or registration fee
☐ Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Run / Walk:

Please provide the start time for each distance (if applicable)

1 mile

5K

Other distance

Please indicate your expected attendance:

Number of participants:

- 1-99 ☐
100-199 ☐
200-299 ☐
300+ ☐

N/A

Provide route on attached site map.



Food / Beverage:

Will the event offer food/beverages?

Yes ☒

No ☐

Will event require any food preparation on-site?

Yes ☐

No ☐

Will alcohol be served/sold?

Yes ☒

No ☐

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

@ PARTICIPATING
COLLECTIVE
MEMBERS
LOCATIONS.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff

How many: _____

Date(s) & time(s): _____

Volunteers

How many: _____

Date(s) & time(s): _____

Private security

How many: _____

Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police

How many: 2

Date(s) & time(s): 2/18/2023

7:11:00 AM

Have you made arrangements with the police?

Yes ☐

No ☒

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____

Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots?

Yes ☒ No ☐

If yes, please list all streets, intersections, and parking lots that apply: _____

Street closings to begin on date: 2/18/23 Start time: _____

End time: _____

Will any businesses be impacted by the proposed road closure?

Yes ☐

No ☒

City Equipment:

Are you requesting the use of City equipment?

Yes ☒

No ☐

Availability is not guaranteed

Streets cannot be blocked without prior approval.

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones

How many: _____

Barricades

How many: 10 @ Atkins

portable toilets

6-8 @ Railyard Park +
Along parade route



Other: _____

Where should equipment be dropped off & picked up? _____

When will the equipment be set-up? _____

Date: _____

Time: _____

When will the equipment be removed? _____

Date: _____

Time: _____

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes ☐

No ☒

List the # of tents & sizes: _____

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied? _____

Generator ☐

Franchise Utilities ☐

Both ☐

List contractor / supplier: N/A

Explain services in detail: _____

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

[Signature]
Signature

12/13/2022
Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

[Signature]
Signature

12/13/2022
Date

(5e)

Crocker, Clarice

From: College St. Pub Waxahachie
Sent: Thursday, January 12, 2023 9:11 AM
To: Crocker, Clarice
Subject: Fw: Hachi Gras Maps

Clarice,

FYI. Please see the attached layout for the Oddfellows Mardi Gras parade on 2/18/2023. The parade will stage in the parking area under the new viaduct . It will proceed north turning right on S. College, then left on N. College to Franklin. It will then turn left on Franklin to Rogers. It will then turn left on Rogers and return to the staging area. The parade will step off 11am.

As a result of the meeting with staff from Emergency Management, Police, Fire, and the Street Departments on Monday, it was decided that we will need six police officers, and four Street department personnel. Also thirty barriers and sixty cones will also be required.

If you have any further questions please feel free to contact me.

Best Regards,
Wayne Strickland
972-814-0605

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Wednesday, January 11, 2023, 4:11 PM, College St. Pub Waxahachie wrote:

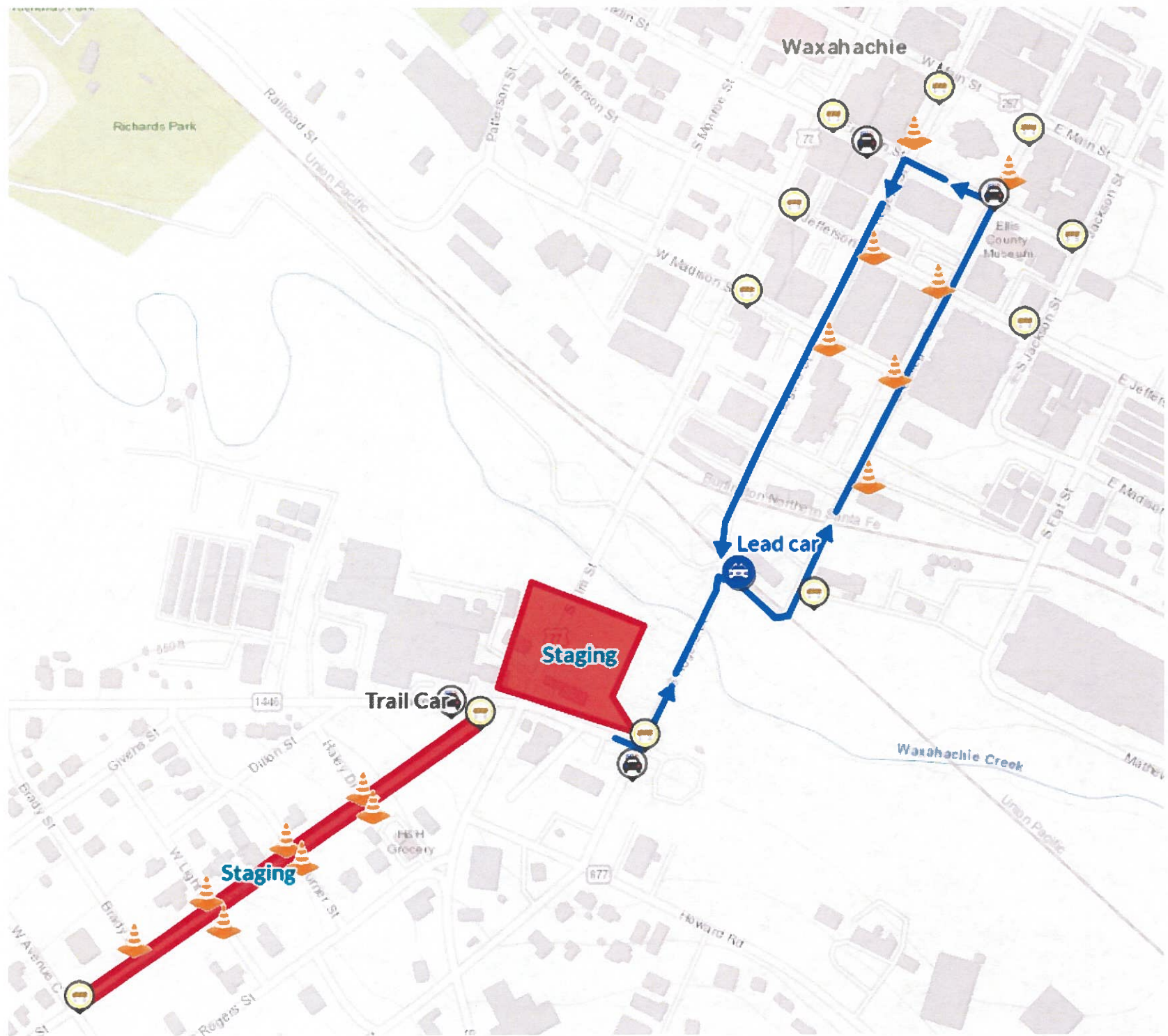
FYI.

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Tuesday, January 10, 2023, 2:31 PM, Donna Insixiengmay
<donna.insixiengmay@waxahachiepd.org> wrote:

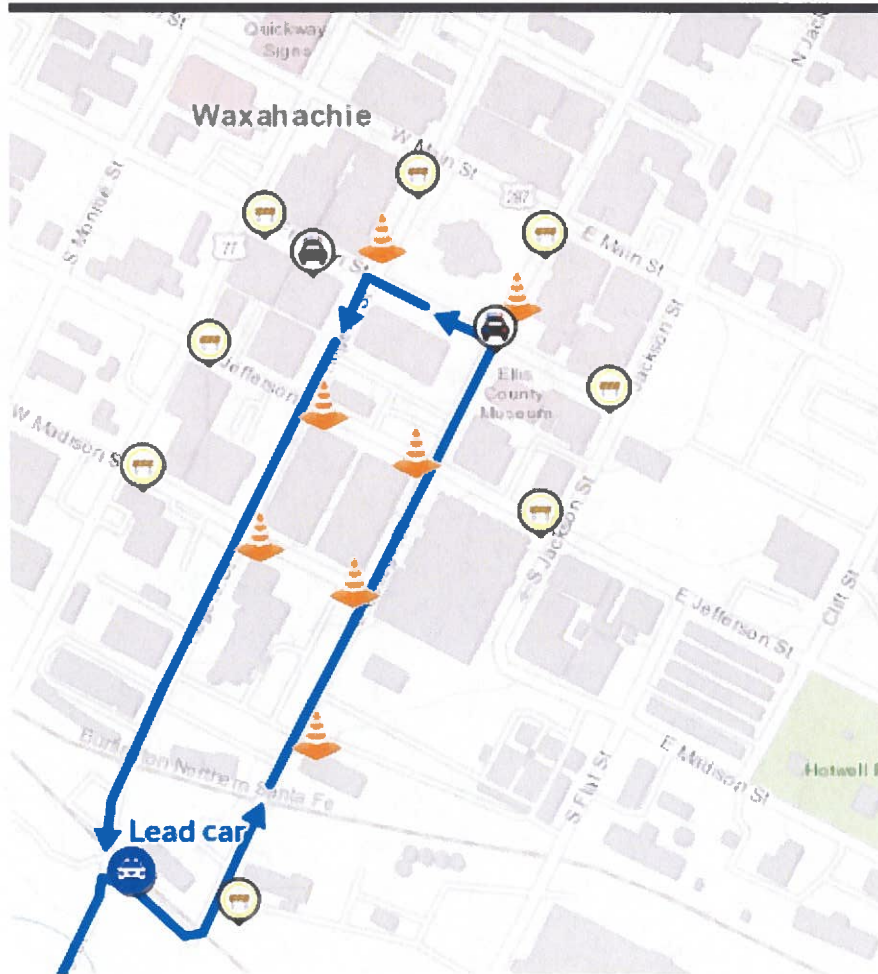
From: Daniel Frisby <daniel.frisby@waxahachiepd.org>
Sent: Tuesday, January 10, 2023 2:29 PM
To: Donna Insixiengmay <donna.insixiengmay@waxahachiepd.org>
Subject: Hachi Gras Maps



50



(5e)



(5e)

Bonner, Jami

From: Boyd, Ricky
Sent: Tuesday, December 20, 2022 3:24 PM
To: Bonner, Jami
Subject: RE: Event Application - Hachie Gras! Celebration & Parade

Other than shutting down Main Street for the parade, I have no concerns.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Tuesday, December 20, 2022 3:04 PM
To: Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Hachie Gras! Celebration & Parade

For your review / comments.

Thank you.

Jami Bonner
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(5e)

Bonner, Jami

From: Mosley, Laurie
Sent: Wednesday, December 21, 2022 4:19 PM
To: Bonner, Jami; Martinez, Gumaro; Cooper, Kyle; Campos, Yadira; Gaertner, James; Massey, Matt; Boyd, Ricky; Joe Bill Wiser; Griffith, Thomas; Daniel Frisby; Simpson, Anita
Cc: Lawrence, Albert; Scott, Michael; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Hachie Gras! Celebration & Parade

Good Afternoon Team!

My department has attended some of the planning meetings for this event, and we booked the same Zydeco band that we had for this event in February 2020 for Railyard Park to kick-off the fun. From what they are saying, it would be the same kind of parade route that we did in 2020 which was basically what we did for the Stampede of Speed – start at Railyard Park, turn on Franklin at the Courthouse, and head back to Railyard Park down Rogers Street.

The other activities for the event will all take place inside the restaurants with pedicabs as transportation.

Thanks,
Laurie

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Tuesday, December 20, 2022 3:04 PM
To: Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Daniel Frisby

(5e)

Bonner, Jami

From: Gaertner, James
Sent: Thursday, December 22, 2022 11:37 AM
To: Bonner, Jami; Mosley, Laurie; Martinez, Gumaro; Cooper, Kyle; Campos, Yadira; Massey, Matt; Boyd, Ricky; Joe Bill Wiser; Griffith, Thomas; Daniel Frisby; Simpson, Anita
Cc: Lawrence, Albert; Scott, Michael; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Hachie Gras! Celebration & Parade

They need to coordinate with TxDOT for the Main Street closure.

I don't have additional questions. They can coordinate with Matt for the necessary barricades.

James Gaertner, PE, CFM, CPM
Executive Director of Public Works & Utilities
Office: 469-309-4301
jgaertner@waxahachie.com

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Thursday, December 22, 2022 8:14 AM
To: Mosley, Laurie <Imosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Hachie Gras! Celebration & Parade

Thank you, Laurie. The applicant provided a site map that indicates they would like the parade route to begin at Railyard, go up College, turn left on Main St., left on Rogers, and return to Railyard.

From: Mosley, Laurie <Imosley@waxahachiecvb.com>
Sent: Wednesday, December 21, 2022 4:19 PM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Hachie Gras! Celebration & Parade

Good Afternoon Team!

(5e)

Crocker, Clarice

From: Cooper, Kyle
Sent: Wednesday, January 11, 2023 3:45 PM
To: Scott, Michael; Villarreal, Amber; Bonner, Jami; Mosley, Laurie; Martinez, Gumaro; Campos, Yadira; Gaertner, James; Massey, Matt; Boyd, Ricky; Joe Bill Wiser; Griffith, Thomas; Daniel Frisby; Simpson, Anita
Cc: Lawrence, Albert; Crocker, Clarice
Subject: RE: Event Application - Hachie Gras! Celebration & Parade

I think adding a couple of portable restrooms to Railyard, Downtown Restrooms, and George Brown Plaza (6 total) would be appropriate to accommodate visitors for the day. Considering the length of the parade, I do not see a need to place them along the parade route.



Kyle Cooper, CPRP
Senior Director
Parks and Recreation
City of Waxahachie
469-309-4277
972-268-4549
Kyle.Cooper@waxahachie.com

From: Scott, Michael
Sent: Wednesday, January 11, 2023 1:52 PM
To: Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Hachie Gras! Celebration & Parade

Before committing to that I would want to see the route—to consider its length and proximity to existing public restrooms/participating businesses that could accommodate the need.

Michael Scott
City Manager
City of Waxahachie

☎ (469) 309-4002 | 📠 (469) 309-4003 | ✉ miscott@waxahachie.com | 📦 PO Box 757 • Waxahachie, TX • 75168

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Wednesday, January 11, 2023 11:27 AM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Martinez, Gumaro

(5e)

<gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>

Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <mscott@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>

Subject: RE: Event Application - Hachie Gras! Celebration & Parade

Good morning,

We're still waiting on a revised parade route from Wayne but I wanted to follow-up with staff. He is requesting 6-8 portable toilets at Railyard Park and along the parade route. Is staff agreeing to provide that?

Thank you,

Amber Villarreal, TRMC, CMC

City Secretary

City of Waxahachie

Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168

www.waxahachie.com

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Attention Public Officials: A "Reply to All" of this email message could lead to violations of the Texas Open Meetings Act. If replying, please reply only to the sender.

From: Bonner, Jami

Sent: Tuesday, December 20, 2022 3:04 PM

To: Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Daniel Frisby <daniel.frisby@waxahachiepd.org>; Simpson, Anita <asimpson@waxahachie.com>

Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <mscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>

Subject: Event Application - Hachie Gras! Celebration & Parade

For your review / comments.

Thank you.

Jami Bonner

Assistant City Secretary

City of Waxahachie

Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168

www.waxahachie.com



Memorandum

To: Honorable Mayor and City Council
From: Anthony Warren, Senior Director of Building & Community Services
Thru: Michael Scott, City Manager
Date: January 12, 2023
Re: Consider Extending Existing Contract with AHI Facility Services, Inc. to Exercise the Year Five Option for Janitorial and Cleaning Maintenance Services.

Recommended Motion: "I move to approve extending the existing contract with AHI Facility Services, Inc. to exercise the year five option at a cost of \$112,487.14 for janitorial and cleaning maintenance services."

Item Description: Consider extending the existing contract with AHI Facility Services, Inc. to exercise the year five option at a cost \$112,487.14 for janitorial and cleaning maintenance services.

Item Summary: In 2018, a Request for Proposals was solicited for janitorial services of the City Hall, Parks Administration, Fire Administration, Civic Center and Utilities Field Operations buildings. After a review of proposals, AHI, Inc. was awarded the contract to provide janitorial services. The existing contract with AHI, Inc. was approved and effective January 17, 2019 for an initial three-year term, with two one-year renewal options.

The annual costs outlined in the contract are as follows:

Year 1 -	\$96,855.02
Year 2 -	\$100,729.18
Year 3 -	\$104,758.30
Year 4 - (Option)	\$108,948.65
Year 5 - (Option)	\$112,487.14

AHI has been responsive to requests for alterations to the cleaning schedule and areas to be cleaned as needed. AHI provides services to City facilities on a daily

(5f)

basis. Later in the fiscal year, a proposed amendment to include the City Hall Annex will be necessary.

Fiscal Impact: The year five contract option cost of \$112,487.14 was budgeted and approved in the Fiscal Year 2022-23 Budget. Each department budgets and funds the amount to cover the cost of services for their respective facilities.

(8)



Memorandum

To: Honorable Mayor and City Council
From: Jennifer Pruitt, Senior Director of Planning
Thru: Michael Scott, City Manager *[Signature]*
Date: January 5, 2023
Re: City of Waxahachie Comprehensive Plan

City staff requests to continue the public hearings for adopting the Comprehensive Plan to future meeting dates. The staff has received several recent comments regarding the Comprehensive Plan since the last Comprehensive Plan Advisory Committee (CPAC) Meeting. More time is necessary to incorporate the changes into the Waxahachie Comprehensive Plan.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-117-2022



MEETING DATE(S)

Planning & Zoning Commission: January 10, 2023

City Council: January 17, 2023

CAPTION

Public Hearing on a request by Priya Acharya, Wier & Associates, Inc., for a **Specific Use Permit (SUP)** for a restaurant with a drive-through use and a pole sign within a General Retail (GR) zoning district located at 3380 S Interstate 35 E (Property ID 284600) - Owner: DML LAND, LLC (ZDC-117-2022)

RECOMMENDED MOTION

"I move to approve ZDC-117-2022, a Specific Use Permit (SUP) for a restaurant with a drive-through use and a pole sign, subject to the conditions in the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on January 10, 2023, the Commission voted 6-0 to recommend approval of case number ZDC-117-2022 with the additional conditions selecting the provided architectural elevation option one (Exhibit D) and that the pole sign consist of a steel pole sign without the masonry exterior finishing materials, as presented in the pole sign rendering (Exhibit E).

APPLICANT REQUEST

The Applicant is requesting a specific use permit for a restaurant with a drive-through use (Chick-Fil-A) and a pole sign.

CASE INFORMATION

Applicant: Priya Acharya, Wier & Associates, Inc.

Property Owner(s): DML LAND, LLC

Site Acreage: 1.824 acres

Current Zoning: General Retail (GR)

Requested Zoning: GR with a specific use permit (SUP) for a restaurant with a drive-through use and a pole sign

SUBJECT PROPERTY

General Location: 3380 S Interstate 35 E

Parcel ID Number(s): 284600

Existing Use:

Undeveloped Land

Development History:

A replat (SUB-113-2022) for the subject property was approved on October 12, 2022.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	GR	Undeveloped Land
East	C	I-35 Frontage Road
South	GR	Undeveloped Land
West	LI-1	Undeveloped Land

Future Land Use Plan:

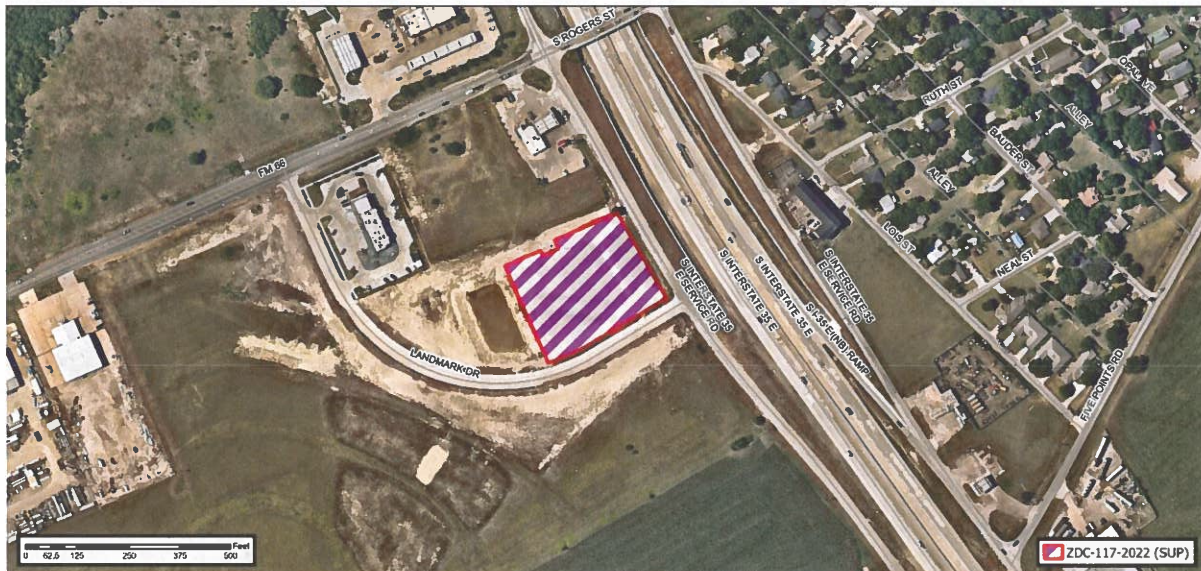
Retail

Comprehensive Plan:

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

The subject property is adjacent to Landmark Drive (60' public right-of-way) on the south and I-35 frontage road on the east. Ingress and egress will be from Landmark Drive. Although the development has provided a stub out to the north for future cross access, the adjacent property owner did not grant the restaurant user permission to dedicate a mutual access easement. Therefore, traffic circulation is confined to the limits of the subject property.

Site Image:

PLANNING ANALYSIS

The Applicant is requesting a specific use permit for a restaurant with a drive-through use (Chick-Fil-A) and a pole sign. The proposed project has satisfied all the requirements of the zoning ordinance, including but not limited to parking, stacking, and landscaping requirements. Furthermore, the Applicant has provided more than the minimum required parking and stacking to manage business demands during peak times. The Applicant provided 19 additional stacking spaces for a total of 25 and 36 additional parking spaces for a total of 56 parking spaces.

Proposed Elevations

The Applicant provided two sets of architectural elevations for staff and P&Z to evaluate. Both sets of elevations have the same building design and exterior finishing materials, except the color scheme for each set is different. The preferred option by the applicant and the P&Z is Option 1 below.

Option 1 - In this option, the building is composed of 100 percent brick veneer with two colors. The primary color is light gray (Paloma Gray), and the accent color is white (Rustic White).



Option 2 - In this option, the building is composed of 100 percent brick veneer with two colors. The primary color is dark gray (Slate Gray), and the accent color is white (Glacier White).

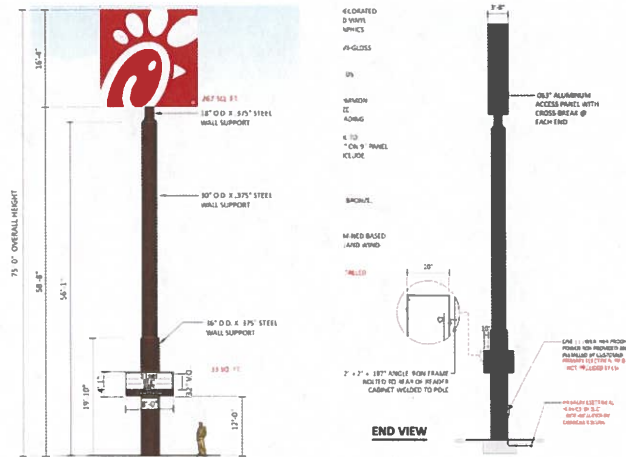


Proposed Pole Sign

Per the City's zoning ordinance, all pole signs along 35 and 287 require approval of a specific use permit. The Applicant is proposing to locate the pole sign in the southeast portion of the site within the landscape island closest to the I-35 frontage. Per section 5.08 of the zoning ordinance, pole signs greater than 25 feet in height shall be set back a minimum distance of twenty-five feet, plus one foot for each foot the sign exceeds 25 feet. The sign is 75 feet tall therefore the minimum setback for the sign is 75 feet from the property line. As proposed, the sign is situated 77 feet from the eastern property line (I-35 frontage road).

The maximum surface area permitted by the sign ordinance for the sign is 300 square feet. The surface area for the proposed sign is 267 square feet. Additionally, pole signs must be supported by a single or dual freestanding support with masonry columns without guy wires and braces. As proposed, the pole is wrapped with masonry exterior finishing materials.

Lastly, it should be noted that the proposed pole sign for Chick-Fil-A will be the same height as the existing pole sign for McDonald's, which is 75 feet.



Proposed Pole Sign

Staff Recommendation

Staff recommends approval of the specific use permit since the project complies with the City's zoning requirements for both the use and the pole sign.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 5 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.

RECOMMENDATION

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

Conditions:

1. The pole sign will consist of steel pole.
2. The building will conform to the architectural elevations for option 1 utilizing light gray (Paloma Gray) as the primary color, and white as the accent color (Rustic White).
3. The Applicant agrees to execute a mutually agreed upon Development Agreement for the development.
4. The Applicant obtains a permit from the City of Waxahachie Building Department before commencing construction.

ATTACHED EXHIBITS

1. Development Agreement / SUP Ordinance
2. Location Map (Exhibit A)
3. Site Plan (Exhibit B)
4. Landscape Plan (Exhibit C)
5. Architectural Elevations (Exhibit D)
6. Pole Sign Rendering (Exhibit E)
7. Operational Plan

STAFF CONTACT INFORMATION

Prepared by:

Eleana Tuley, AICP

Senior Planner

eleana.tuley@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

CHICK-FIL-A WAXAHACHIE 05095

NW Corner of I-35E and Landmark Drive
Waxahachie, TX

Specific Use Permit (SUP) for Drive-Thru Use – Operational Plan

On behalf of Chick-fil-A, Inc, please find included an SUP package for a proposed Chick-fil-A dine-in and drive-through restaurant at the northwest corner of I-35E and Landmark Drive. The Chick-fil-A lot is currently platted as a part of Lot 3, Block 2 of Interstate Industrial Park; as part of a separate application, we are proposing to replat Lot 3 to subdivide it into two lots, of which the Chick-fil-A lot will be proposed Lot 3R.

The proposed use is a Restaurant with drive-through service. The building has a gross floor area of 5,504 sf, of which the seating area is 1,385 sf. Additionally, a proposed exterior patio has a seating area of 581 sf. Based on the anticipated total seating area of 1,966 square feet, we calculate that 20 parking stalls are required. The site plan proposes 56 parking stalls.

The hours of operation for this proposed Chick-fil-A are anticipated to be 6:00am to 10:00pm Monday through Saturday; the restaurant will be closed on Sundays. The restaurant is anticipated to have a total of 60 employees.

Additional SUP Request

- As part of this SUP request, we are also requesting an SUP for a 75-ft tall pole sign. We have included a Detailed Sign Package as part of this submittal. The location of the pole sign is shown on the Site Plan.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE THROUGH ESTABLISHMENT USE WITHIN A GENERAL RETAIL DISTRICT LOCATED AT 3380 SOUTH INTERSTATE 35 EAST IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.824 ACRES KNOWN AS PROPERTY ID 284600, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-117-2022. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from GR to GR, with an SUP in order to permit a restaurant with a drive-through window and a pole sign on the following property: Property ID 284600, which is shown on the location map (Exhibit A), site plan (Exhibit B), landscape plan (Exhibit C), Architectural Elevations (Exhibit D), and pole sign rendering (Exhibit E).

SPECIFIC USE PERMIT

Purpose and Intent

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

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A RESTAURANT WITH A DRIVE-THROUGH WINDOW (CHICK-FIL-A) USE AND A POLE SIGN IN THE GENERAL RETAIL (GR) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. A mutually agreed upon Development Agreement will be required for the development.
2. The site plan shall conform as approved by the City Council under case number ZDC-117-2022.
3. The development shall adhere to the following plans approved by City Council: Exhibit A – Location Map, Exhibit B – Site Plan, Exhibit C – Landscape Plan, and Exhibit D – Architectural Elevations, and Exhibit E – Pole Sign Rendering.
4. The building shall consist of the building design and composed of the exterior finishing materials and their associated percentages as provided in Exhibit D – Architectural Elevations.
5. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

(10)

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

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

PASSED, APPROVED AND ADOPTED on this 17th day of January, 2023.

MAYOR

ATTEST:

City Secretary

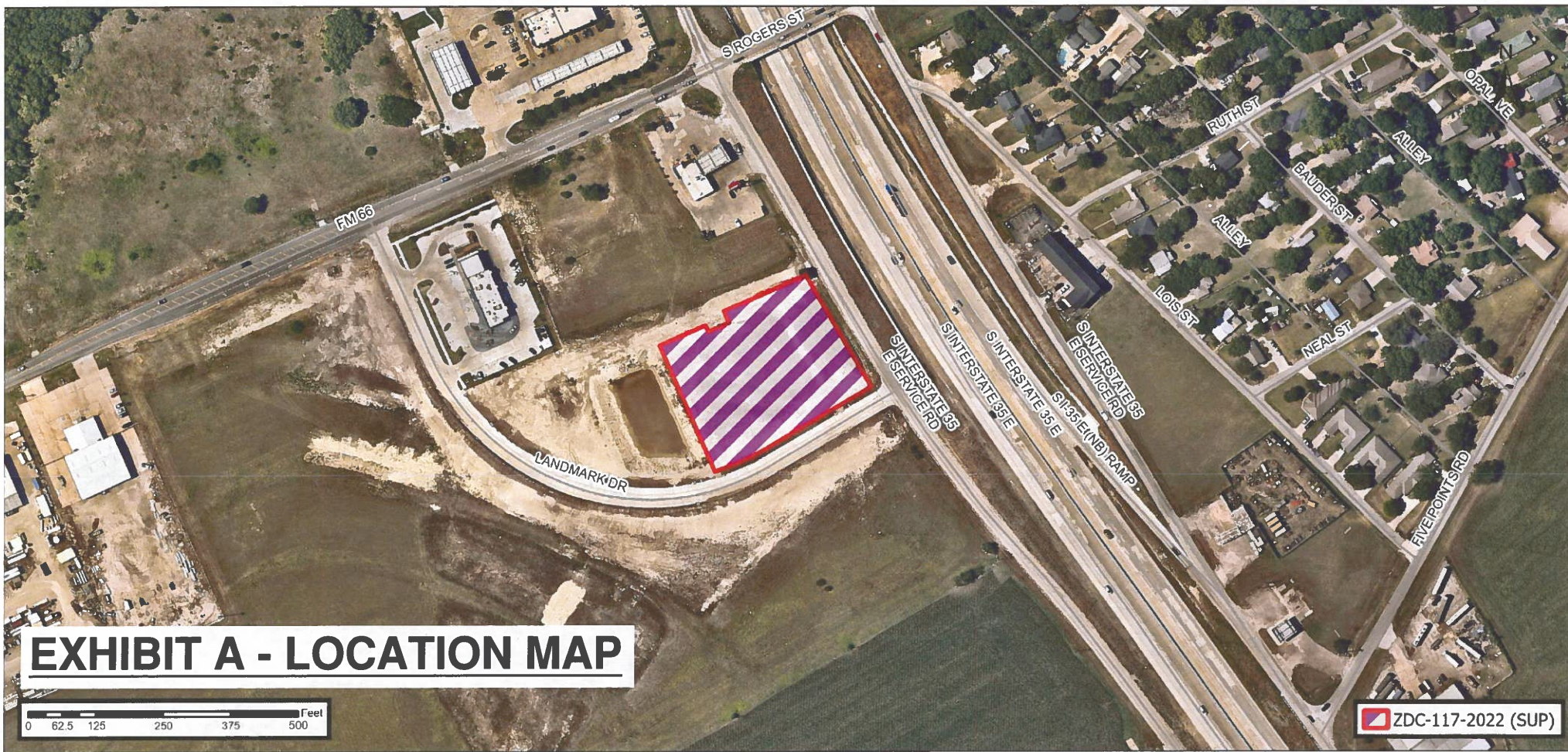
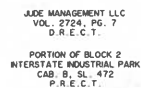


EXHIBIT A - LOCATION MAP



NOTES:

1. ALL DIMENSIONS ARE TO FACE OF CURB, UNLESS NOTED OTHERWISE.
2. MECHANICAL EQUIPMENTS, WHETHER ON THE GROUND OR POLE-MOUNTED, WILL BE SCREENED WITH AN APPROVED SCREENING DEVICE FROM VIEW OF PUBLIC RIGHT-OF-WAY AND ADJACENT RESIDENTIAL USES.
3. VEHICLES SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
4. NUMBER OF VEHICLES SHOWN IS APPROXIMATE.

ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NO. 48139C0330F; EFFECTIVE DATE JUNE 3, 2013, THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A DESIGNATED 100 YEAR FLOOD ZONE OR A SPECIAL FLOOD HAZARD AREA. THIS DETERMINATION IS BASED ON THE GRAPHIC REPRESENTATION OF THE ZONES AS SCALED FROM THE REFERENCED FIRM AND IS NOT NECESSARILY AN INDICATION AS TO WHETHER OR NOT THE SUBJECT PROPERTY WILL ACTUALLY EXPERIENCE FLOODING.

**PRELIMINARY PLANS
FOR PROJECT REVIEW
NOT FOR
CONSTRUCTION,
BIDDING OR PERMIT
PURPOSES.**
Prepared By/Or Under
Direct Supervision Of
Priya Acharya, PE
Texas Registration
No. 110446 On
Date Shown Below.

DEVELOPER/APPLICANT:
CHICK-FIL-A, INC.
5200 BUFFINGTON ROAD
ATLANTA, GA 30349
CONTACT: GETRA SANDERS
Getra.Sanders@cfcacorp.com

ENGINEER:
WIER & ASSOCIATES, INC.
2201 E. LAMAR BLVD., STE 200E
ARLINGTON, TEXAS 76006
PHONE: (817) 467-7700
CONTACT: PRIYA ACHARYA, P.E.
PriyaA@WierAssociates.com

SUP
CHICK-FIL-A #05095
1.824 ACRES

LOT 3R, BLOCK 2
INTERSTATE INDUSTRIAL PARK,
AN ADDITION TO THE CITY OF
WAXAHACHE, ELLIS COUNTY, TEXAS

WIA WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com

DATE: 12/20/2022
W.A. No. 21088

[illegible]

VERTICAL DATUM NOTE:
REFERENCE DATUM = NORTH AMERICAN VERTICAL DATUM (NAVD83) IS UTILIZING THE RTK METHOD ADMINISTERED BY ALL TERRA SYSTEMS INC.

BW A - "N" "X" CUT IN CONCRETE BANK OF CURVE ALONG SOUTHWEST SIDE OF GAS STATION CORNER OF LOT 131 AND 1067 SOUTHWEST OF INTERSECTION OF HIGHWAY 231 SOUTH AND 4647 SOUTHWEST OF SPEED LIMIT SIGN ALONG I-30E.
ELEVATION = 604.937

BW B - "N" "X" CUT IN NORTHEAST CORNER OF CURVE ALONG 4647 NORTHWEST COURSE OF INTERSECTION OF LANDMARK DRIVE WITH I-30E.
ELEVATION = 612.387

BW C - "N" "X" CUT IN NORTHEAST CORNER OF STORED CAR JUNCTION BOX ALONG SOUTHWEST SIDE OF DETENTION POND AT SOUTHWEST OF SEAMEN AND 467 SOUTHWEST OF INTERSECTION OF LANDMARK DRIVE WITH I-30E.

NAD83 UTM ZONE 18Q UTM EASTING = 610,917

(10)



The property owner, tenant, or agent shall be responsible for the maintenance of all required landscaping in a healthy, neat, orderly, and live-growing condition at all times. This shall include mowing, edging, pruning, fertilizing, irrigation, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such materials not a part of the landscaping. Plant materials that die shall be replaced with plant materials of similar variety and size.

[illegible]

WELD PROJECT #	282281
PRINTED FOR	PERMANENT
DATE	8.30.2011
DRAWN BY	KCH

Information contained on this drawing and all digital files contained here shall remain confidential, legal and/or proprietary to the

Landscape Plan

SHEET NUMBER **L-100**

EXHIBIT D - ARCHITECTURAL ELEVATIONS



D3 SOUTH ELEVATION
1/8" = 1'-0"



B3 NORTH ELEVATION
1/8" = 1'-0"

FINISH SCHEDULE - EXTERIOR						
MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE
BR-A	BRICK VENEER (PRIMARY)	ACME BRICK	MODULAR		PALOMA GRAY	
BR-B	BRICK VENEER (ACCENT)	ACME BRICK	MODULAR		RUSTIC WHITE	
PA-1	CANOPY METAL FASCIA		DURA COAT	DC185T-200	DARK BRONZE	(D) RUBBED BRONZE METALLIC
CP-3	CANOPY METAL DECK				WHITE	TEXTURE PWD
EC-1	PARAPET WALL COPING	BURGLAST			MIDNIGHT BRONZE	SMOOTH WHITE HIGH GLOSS
PT-113	EXTERIOR PAINT	SHERWIN WILLIAMS	SHERWIN HIGH PERFORMANCE		DARK BRONZE	FINISH: SEMI-GLOSS
ST-1	STOREFRONT	YKK	YES 45		DARK BRONZE (MATE)	

ATTACHED CANOPY SCHEDULE						
Mark	Description	Count	Overall Width	Overall Depth	The Back Mounting (Other Than Top)	Heads (Other Than Top)
C1-A	Exterior Canopy	1	3'-8 1/2"	1'-0"	0"	No
C1-B	Exterior Canopy	1	8'-4"	1'-0"	0"	No
C1-C	Exterior Canopy	1	18'-4"	1'-0"	0"	No
C1-D	Exterior Canopy	3	7'-4"	1'-0"	0"	No
C1-E	Exterior Canopy	3	12'-4"	1'-0"	0"	No
C1-F	Exterior Canopy	1	17'-0"	1'-0"	0"	No
C1-G	Exterior Canopy	1	8'-4"	1'-0"	0"	No
C4-D	Exterior Canopy	1	15'-8"	4'-0"	5'-0"	Yes
C4-E	Exterior Canopy	1	15'-4"	4'-0"	5'-0"	No
C4-F	Exterior Canopy	1	7'-0"	4'-0"	5'-0"	Yes
Grand Total		18				

CANOPY NOTES
BUILDING MOUNTED CANOPIES - 8" THICK CANOPY - FINISH OF STRUCTURE, FASCIA & DECKING TO MATCH (D1)
COLUMN MOUNTED CANOPIES - 10" THICK CANOPY - FINISH OF STRUCTURE TO BE (D1) - FINISH OF DECKING TO BE (D2)



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

MAYSE & ASSOCIATES INC.
ARCHITECT • PLANNING • CONSTRUCTION MANAGEMENT



10/4/2022 2:08:47 PM

CHICK-FIL-A
I-35 & FM 66 FSU
S I-35 E Service Rd
Waxahachie, TX 75165

FSR#05095
PROJECT STATUS
NO. DATE DESCRIPTION

PROJECT STATUS
NO. DATE DESCRIPTION

PROJECT STATUS
NO. DATE DESCRIPTION

PROJECT STATUS
NO. DATE DESCRIPTION

A-303

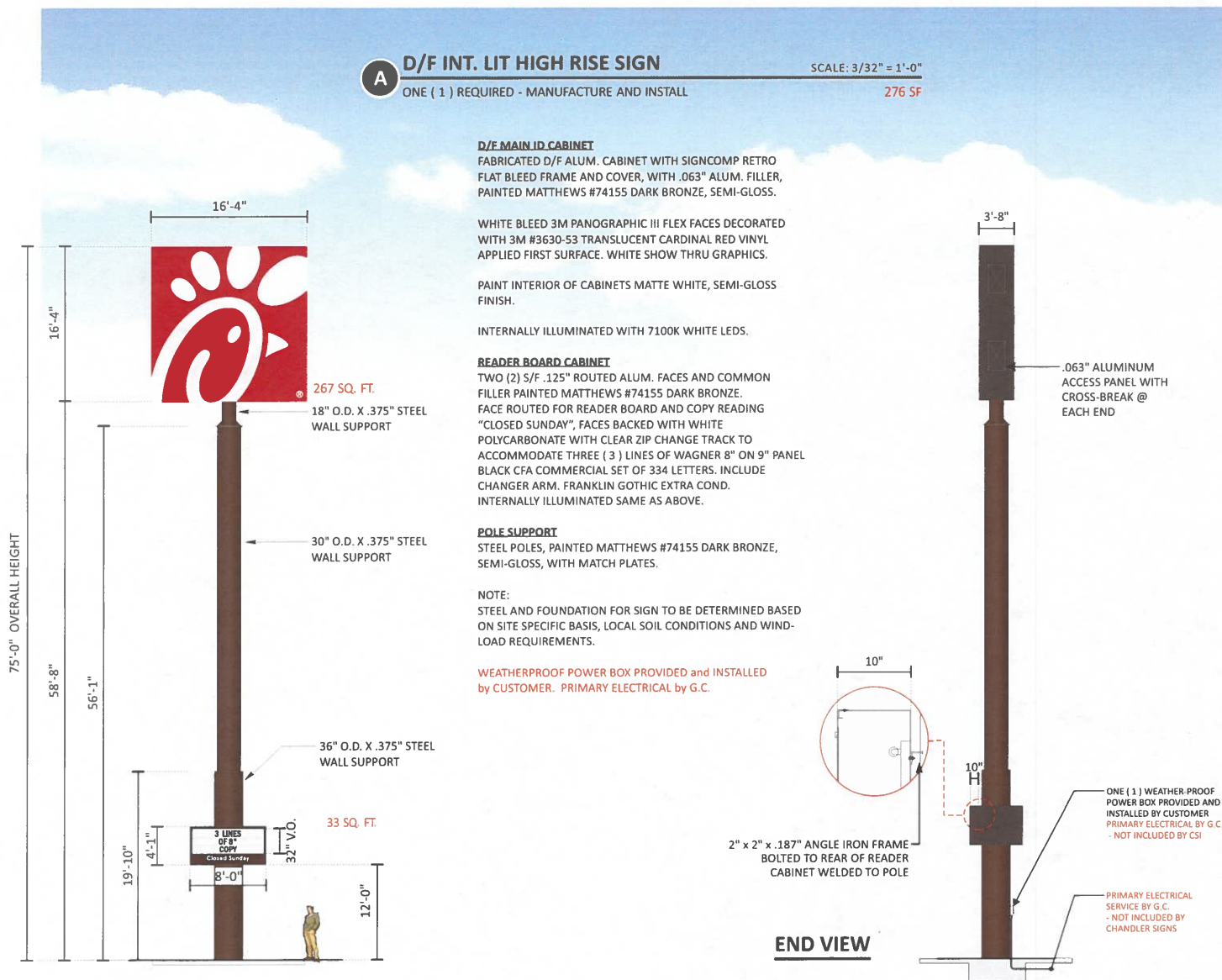


EXHIBIT E - POLE SIGN RENDERING

DAL - MANUFACTURING
 NEW RB FONT

Design #	0630957Ar10
Sheet	5 of 31
Client	#5095
Address	SWQ OF 135 AND FM 66, WAXAHACHIE, TX.
Account Rep.	KRISTEN HAMILTON SCARLETT Q.
Designer	AM
Date	07/25/2022
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	
Revision/Date	

R1112-22-2111: UPDATED SITE PLAN
 R2: N/A
 R201-1-2020: UPDATED SITE PLAN (2) STOP SIGNS
 R201-2-2020: UPDATED SIGN LOCATION
 R201-3-2020: UPDATED SITE PLAN AND POTENTIAL PLO ON LOCATIONS ADDED WORKING SIGNS
 R201-4-2020: REMOVED LOCATION OPT 1 CORRECTED MCH SIGN LOCATION
 R201-5-2020: UPDATED SITE PLAN AND UPDATED LOCATION OF SIGN
 R201-6-2020: UPDATED ELEVATIONS
 R201-7-2020: UPDATED SITE PLAN
 R201-8-2020: ADDED VIOLATOR PANELS TO HANDCAP SIGNS

CHANDLER SIGNS

National Headquarters
 14201 Sowerly Road #101
 Fort Worth, TX 76155
 (817) 492-3000 Fax: (817) 492-3001

San Antonio
 17718 San Pedro Ave
 Ste 200
 San Antonio, TX 78233
 (214) 492-3000 Fax: (214) 492-3001

Northeast US
 2301 River Road Ste 201
 Louisville, KY 40205
 (502) 887-4800 Fax: (502) 887-4801

Georgia
 111 Woodstone Place
 Marietta, GA 30066
 (770) 422-3000 Fax: (770) 422-3001

South Texas
 PO BOX 133333
 Houston, TX 77246
 (281) 492-3000 Fax: (281) 492-3001

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 All rights to its use for reproduction are reserved by Chandler Signs, LLC

FINAL ELECTRICAL CONNECTION BY CUSTOMER

THE SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THE SIGNIFICANT PROPER GROUNDING AND/OR THE SIGN SHALL BE IN PLACE, LATEST.

Chick-fil-A
 A

STATE OF TEXAS	§	DEVELOPMENT AGREEMENT
	§	FOR CHICK-FIL-A, INC.
COUNTY OF ELLIS	§	

This Development Agreement for Chick-Fil-A ("Agreement") is entered between Chick-Fil-A, Inc. ("CFA") and the City of Waxahachie, Texas ("City"). CFA and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

Recitals:

1. CFA is the owner of approximately 1.824 acres of real property located at 3380 South Interstate 35 East, Parcel Number 284599 in the City of Waxahachie, Texas (the "Property"), for which the applicant has requested a specific use permit ("SUP") for a restaurant with a drive-through use (Chick-Fil-A) and a pole sign. The Property is currently zoned General Retail by the City, and is anticipated to have the SUP reviewed on January 17, 2023.

2. The planned use for the Property is for a SUP to allow for a restaurant with a drive-through use (Chick-Fil-A) and a pole sign. The SUP process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards and provides CFA with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of CFA and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the SUP zoning amendment Ordinance No. (TBD) (the "Chick-Fil-A SUP Ordinance"), a copy of which is attached hereto as Exhibit A and which contains the negotiated zoning and development standards for Chick-Fil-A.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the Chick-Fil-A SUP Ordinance as contractually-binding obligations between the City of Waxahachie and CFA, and to recognize CFA's reasonable investment-backed expectations in the Chick-Fil-A SUP Ordinance.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the Chick-Fil-A SUP Ordinance, which incorporated by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the Developer.

The Developer agrees to:

- (A) The site plan shall conform as approved by the City Council under case number ZDC-117-2022.
- (B) The development shall adhere to the following plans approved by City Council: Exhibit A – Location Map, Exhibit B – Site Plan, Exhibit C – Landscape Plan, and Exhibit D – Architectural Elevations, and Exhibit E – Pole Sign Rendering.
- (C) The building shall consist of the building design and composed of the exterior finishing materials and their associated percentages as provided in Exhibit D – Architectural Elevations.
- (D) All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
- (E) Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, Development Agreement shall conform to those requirements and/or standards prescribed in Exhibit A – Location Map, Exhibit B – Site Plan, Exhibit C – Landscape Plan, and Exhibit D – Architectural Elevations, and Exhibit E – Pole Sign Rendering. Where regulations are not specified in Exhibits B, C, D, and E, in this ordinance, the development shall adhere to the regulations of the General Retail Zoning District and the City of Waxahachie Zoning Ordinance in the future.
- (F) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

In consideration of CFA's agreement in this regard, the City of Waxahachie agrees that CFA has reasonable investment-backed expectations in the Chick-Fil-A SUP Ordinance and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the Chick-Fil-A Ordinance without impacting CFA's reasonable investment-backed expectations.

Section 4. Miscellaneous

A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.

B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.

C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

- I. This Agreement may be only amended or altered by written instrument signed by the Parties.
- J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.
- K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.
- L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon CFA and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.
- M. **Form 1295 Certificate.** The Developer agrees to comply with Texas Government Code, Section 2252.908 and in connection therewith, the Developer agrees to go online with the Texas Ethics Commission to complete a Form 1295 Certificate and further agrees to print the completed certificate and execute the completed certificate in such form as is required by Texas Government Code, Section 2252.908 and the rules of the Texas Ethics Commission and provide to the Town, at the time of delivery of an executed counterpart of this Agreement, a duly executed completed Form 1295 Certificate.
- N. **Undocumented Workers Provision.** The Developer certifies that Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of any public subsidy provided under this Agreement to Developer plus six percent (6.0%), not later than the 120th day after the date the Town notifies Developer of the violation.
- O. **Non-Boycott of Israel Provision.** In accordance with Chapter 2270 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a business entity for the provision of goods or services unless the agreement contains a written verification from the business entity that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. Chapter 2270 of the Texas Government Code does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) the contract has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless Developer is not subject to Chapter 2270 of the Texas Government Code for the reasons stated herein, the signatory executing this Agreement on behalf of Developer verifies that Developer does not boycott Israel and will not boycott Israel during the Term of this Agreement.

- P. **Prohibition on Contracts with Certain Companies Provision.** In accordance with Section 2252.152 of the Texas Government Code, the Parties covenant and agree that Developer is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.
- Q. **Verification Against Discrimination of Firearm or Ammunition Industries.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 19, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the Developer will not discriminate during the Term of the Agreement against a firearm entity or firearm trade association.
- R. **Verification Against Discrimination Developer Does Not Boycott Energy Companies.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 13, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not boycott energy companies; and (2) the Developer will not boycott energy companies during the Term of this Agreement.

(11)

{Signature Pages Follow}

(11)

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(11)

: Chick-Fil-A, Inc. (Developer)

By: _____
Getra Sanders, Senior Principal Development Lead

Date: _____

STATE OF TEXAS

§

COUNTY OF ELLIS

§

§

Before me, the undersigned authority, on this _____ day of _____, personally appeared _____, representative of Belmont Farms, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-158-2022



MEETING DATE(S)

Planning & Zoning Commission: January 10, 2023

City Council: January 17, 2023

CAPTION

Public Hearing on a request by Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: Rogers Hotel Partners, LLC (ZDC-158-2022)

RECOMMENDED MOTION

*"I move to deny ZDC-158-2022, a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, subject to the conditions in the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."*

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting on January 10, 2023, the Commission voted 3-3 to recommend approval of case number ZDC-158-2022, subject to staff comments. Since there was a tied vote from the Planning and Zoning Commission, the motion failed, and approval of this case now requires a three-fourths vote from City Council.

APPLICANT REQUEST

The Applicant is requesting approval of a Planned Development District (PD) with a base zoning of Central Area District (CA) to allow for a tattoo shop at the Rogers Hotel in suite 305.

CASE INFORMATION

Applicant: Zack Rench, Owner of Lost Veil Tattoo

Property Owner(s): Rogers Hotel Partners, LLC

Site Acreage: 0.49 acres

Current Zoning: Central Area (CA)

Requested Zoning: Planned Development – Central Area (PD-CA) zoning district

SUBJECT PROPERTY

General Location: 100 N College Street

Parcel ID Number(s): 170418

Existing Use: Rogers Hotel

Development History:

N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA	Multi-Tenant Retail Building (Justice Finance, Wirth Collecting, and Board and Brush)
East	CA	Surface Parking Lot
South	CA	Multi-Tenant Retail Building (Danceworks, Soma Church, and Perfect Pair)
West	CA	Multi-Tenant Retail Building (Happy's Home Furnishings, Texas Theatre, and Griffith Law)

Future Land Use Plan:

Retail

Comprehensive Plan:

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

The multi-tenant building in which the Rogers Hotel is located on the northeast corner of N College Street and E Main Street.

Site Image:

PLANNING ANALYSIS

The Applicant is requesting a zoning change from Central Area District (CA) to a Planned Development District with a base zoning of Central Area (CA) District (PD-CA) to allow for a tattoo shop. The Applicant is not proposing to modify the district regulations but to simply allow a tattoo shop, which is not currently a permitted use within the existing zoning.

The Applicant is the owner of Lost Veil Tattoo, and has 8 years of experience working in other tattoo establishments. The Applicant is proposing to operate his own tattoo shop at the Rogers Hotel in Suite 305 (approximately 550 square feet). The studio will have 3 tattoo artists, and the business will generally operate Monday through Sunday from 10 am to 6 pm. Services will be performed on a by-appointment only basis and will not be open for general walk-ins.

The Applicant has provided a letter to provide more information about his business, professional experience, and operational plan.

Staff Recommendation

Staff has provided an exhibit to show the location of all the existing tattoo shops in Waxahachie. If the zoning request for this tattoo shop is approved there will be a total of 3 tattoo shops within the downtown area. This includes Ink Masters along Martin Luther King Jr. Boulevard and Heart-In-Hand on the northwest corner of Rogers and Jefferson Street. Staff is concerned about the number of tattoo shops within the downtown area in a such a close proximity to one another. Currently, a tattoo shop is allowed by right in the Commercial (C) zoning district. Staff believes there are other sites available for the use that are more appropriate, and as such, Staff is recommending denial of the proposed rezoning request.

If the zoning request is approved, the Applicant has agreed to comply with the following provisions:

- The tattoo shop can only operate in Suite 305 of the Rogers Hotel, and cannot expand beyond the existing footprint (550 square feet) without amending the zoning on the subject property.
- Permission to operate a tattoo shop is only granted to Lost Veil Tattoo (Zach Rench), and will not transfer to any future tattoo establishments within the limits of the subject property.
- The hours of operation are limited to Monday through Sunday from 10 am to 6 pm. Any changes to these hours of operation will require a zoning amendment.
- A tattoo shop shall require a license by the Texas Department of State Health Services (DSHS) at all times.
- All exterior signage shall require a sign permit from the Building Department.

PUBLIC NOTIFICATIONS

To comply with State law contained in the Local Government Code Chapter 211 and the City's public hearing notice requirements, 36 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. When publishing this report, City staff received four letters of opposition. Approximately 17.11 percent of property owners within the 200-foot notification boundary have submitted a letter of opposition.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends denial of the zoning request, however if the zoning request is approved, the Applicant will need to comply with the conditions noted below.

Conditions:

1. Permission to operate a tattoo shop on the subject property is only granted to Lost Veil Tattoo (Zach Rench), and will not transfer to any future tattoo establishment within the limits of the subject property.
2. The tattoo shop can only operate in Suite 305 of the Rogers Hotel and can only expand beyond the existing footprint (550 square feet) by amending the zoning.
3. The hours of operation are limited to Monday through Sunday from 10 am to 6 pm. Modifications to the hours of operation shall require a zoning amendment.
4. A tattoo shop shall require a license from the Texas Department of State Health Services (DSHS) at all times.
5. All exterior signage shall require a sign permit from the Building Department.

ATTACHED EXHIBITS

1. Zoning Ordinance
2. Location Map (Exhibit A)
3. Development Standards (Exhibit B)
4. Operational Plan
5. Public Notice Response Exhibit
6. Letters of Opposition
7. Tattoo Shops in Waxahachie Exhibit

STAFF CONTACT INFORMATION*Prepared by:*

Eleana Tuley, AICP

Senior Planner

eleana.tuley@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(12)

LOST VEIL TATTOO

Zach Rench
1526 Kingswood Dr
Cedar Hill, Tx 75104

Re: ZDC-158-2022 Zoning Request for Lost Veil Tattoo

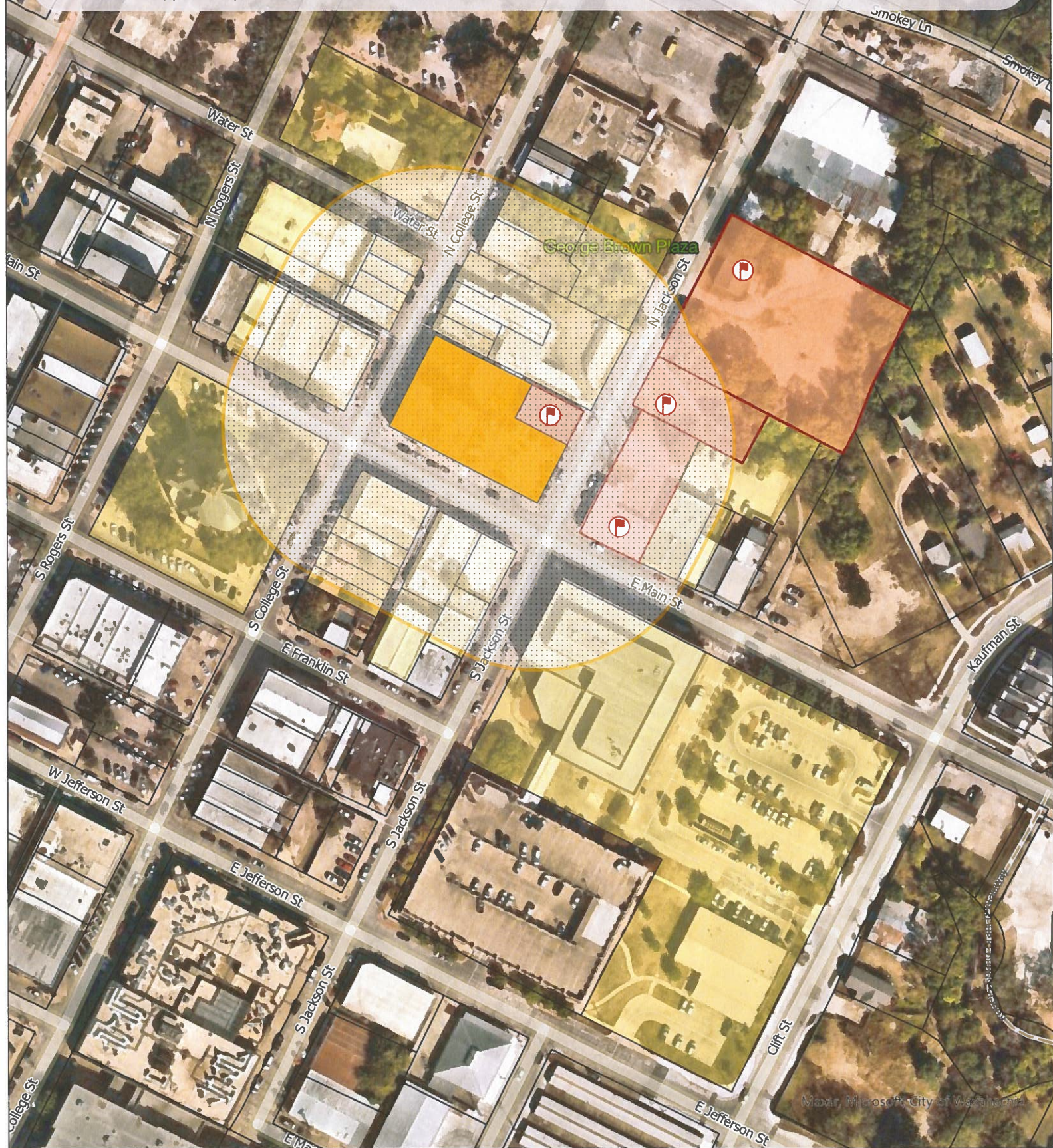
I grew up in Mansfield attending private school where I knew I would be an artist and business owner from the start of my journey. After graduating and moving onto college, I learned the ins-and-outs of this art form, over the course of 8 years, from my friend and mentor Clint Cummings. Due to Clint's unfortunate and untimely passing from cancer, myself and one other artists ventured out to open our own studio. After searching for the perfect location, we quickly decided Waxahachie would be our new home. Over the course of owning our shop here in town for the last few years we learned more about the city and fell in love with The Rogers Hotel as a future business location. We love the local hometown feel, reputation, and history this city is built on.

Lost Veil is currently a private gallery and tattoo studio that we opened in Waxahachie 3 years ago. Walk in clients are always welcome to stop by, but I run my business on a by-appointment-only basis. The shop runs like a well oiled machine, we are a close knit circle of 3 artists with no future plans of expanding. We are not your typical "tattoo studio." We have kept our standards high with our customers and ourselves by doing quality work and maintaining a positive and respectable environment. Our working hours are 10am-6pm everyday, and the shop is not visible at all from the street. We prefer a low key and quiet location. We are looking to move into the Rogers Hotel on the 3rd floor into room 305. The owners of the Rogers have been of great assistance throughout the whole process and are excited to have us in the space. The shop would be run nice and quietly, just how we like it. We look forward to working with the city of Waxahachie for many years to come.

Thank you
Zach Rench/Owner
Lost Veil Tattoo

ZDC-158-2022 - Lost Veil Tattoo PON Response Exhibit

- Support (0 shown)
- Opposition (4 shown)
- 17.11% Opposed by Acreage
- ZDC-158-2022
- 200ft Notification Buffer
- Responding Properties
- Properties Within Buffer
- Property Lines



(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-158-2022**

RECEIVED DEC 3 2022

BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022) Staff: Eleana Tuley

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-158-2022**

City Reference: 170696

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 4, 2023** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Request you adhere to CA zoning use types. There are other commercial buildings that would conform to this use type.

Signature

Date

Greg Nehib, Managing Partner
Printed Name and Title

12-29-22
Date
110 N Jackson St.
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-158-2022**

RECEIVED DEC 3 2022

**BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022) Staff: Eleana Tuley

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-158-2022**

City Reference: 170539

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 4, 2023** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Please adhere to CA building use types. Other commercial buildings are better suited to this use type

Signature

Greg Nohib
Printed Name and Title

Date

12-29-22
206 N Jackson St.
Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-158-2022**



201 MAIN WAX LLC
6982 WALLING LN
DALLAS, TX 75231

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022) Staff: Eleana Tuley

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-158-2022**

City Reference: 170540

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 4, 2023** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments: We oppose changing the property zoning from it's traditional Central Area to PD-CA which may negatively impact the desirability of the Waxahachie downtown. There are numerous Commercial areas in close proximity to accommodate their use as a Tattoo business via SUP.

Bill Bell
Signature

1-4-2023
Date

BILL BELL, MANAGING MEMBER
Printed Name and Title 201 MAIN WAX LLC

201 E MAIN ST
Address WAXAHACHIE TX

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-158-2022**

RECEIVED JAN 11 9 00 AM

GOSCON LLC
603 N ROGERS ST
WAXAHACHIE, TX 75165-3033

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022) Staff: Eleana Tuley

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: **ZDC-158-2022**

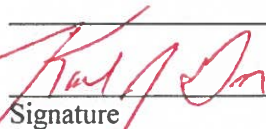
City Reference: 170410

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 4, 2023** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


Signature

Karl J. Goss
Printed Name and Title

Managing Partner

Date

1-9-23
603 N. Rogers, St.

Address

Waxahachie, TX 75165

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

Tattoo Shops in Waxahachie

1/5/2023



- ★ Existing
- ★ Prospective

Manifest Tattoo Society
PD-C - Planned Development - Commercial

Satori Tattoo Collective
PD-GR - Planned Development - General Retail

Studio Iris
GR - General Retail

Immortal Inc.
C - Commercial

Heart-In-Hand
PD-CA - Planned Development - Central Area

Lost Veil
CA - Central Area

Ink Masters
C - Commercial

Southbound Tattoo
C - Commercial



0 0.25 0.5 1 Miles

(12)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT DISTRICT (PD) TO PLANNED DEVELOPMENT DISTRICT – CENTRAL AREA DISTRICT (PD-CA) LOCATED AT 100 NORTH COLLEGE STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.49 ACRES KNOWN AS PROPERTY ID 170418, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-158-2022. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from PD to PD-CA; and

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

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

NOW, THEREFORE, this property is rezoned from PD to PD-CA in order to facilitate development of the subject property in a manner that allows for a tattoo shop on the following property: Property ID 170418, which is shown on the location map (Exhibit A), and development standards (Exhibit B).

PLANNED DEVELOPMENT

The subject property shall develop in accordance with the “PD-CA” Planned Development District - Central Area District as follows:

1. The subject property shall develop in accordance with the attached Development Standards (Exhibit B)
2. All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. Where regulations are not specified in this ordinance, or the

(13)

development agreement, the development shall comply with the City of Waxahachie Municipal Code of Ordinances.

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

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

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

PASSED, APPROVED AND ADOPTED on this 17th day of January, 2023.

MAYOR

ATTEST:

City Secretary



EXHIBIT A - LOCATION MAP

0 37.5 75 150 225 300 Feet


 ZDC-158-2022 (PD)

EXHIBIT B – DEVELOPMENT STANDARDS**LOST VEIL TATTOO SHOP*****PURPOSE AND INTENT***

The purpose of this Planned Development District is to allow for a tattoo shop in the Central Area (CA) zoning district. The subject property will comply with the City of Waxahachie Code of Ordinances, except as provided herein.

DEVELOPMENT STANDARDS

A tattoo shop use is limited to Suite 305 of the Rogers Hotel and shall comply with the following provisions:

- Permission to operate a tattoo shop on the subject property is only granted to Lost Veil Tattoo (Zach Rench), and will not transfer to any future tattoo establishment within the limits of the subject property.
- The tattoo shop can operate in Suite 305 only of the Rogers Hotel and can only expand beyond the existing footprint (550 square feet) by amending the zoning.
- The hours of operation are limited to Monday through Sunday from 10 am to 6 pm. Modifications to the hours of operation shall require a zoning amendment.
- A tattoo shop shall require a license from the Texas Department of State Health Services (DSHS) at all times.
- All exterior signage shall require a sign permit from the Building Department.



Memorandum

To: Honorable Mayor and City Council

From: Ricky Boyd, Fire Chief

Thru: Michael Scott, City Manager 

Date: January 9, 2023

Re: Request for Supplemental Appropriation for Purchase of a New BC-1

Recommended Motion: "I move to approve a Supplemental Appropriation in the amount of \$68,777.53 to be allocated to account # 100-220-57300 for the purchase of a 2023 Chevrolet Suburban, including all of the necessary aftermarket equipment, to replace the Fire Department's Command Vehicle known as BC-1."

Overview: The motor of our present Command Vehicle known as BC-1, a 2014 F-350 with approximately 91,000 miles, is blown. Rebuilding the motor is estimated to cost at least \$22,500 and installing a new motor is estimated to cost at least \$32,000. I do not recommend spending such amounts in order to continue using a nine-year-old vehicle for emergency service.

Operational Impact: Currently, the Battalion Chiefs are utilizing 805, a 2013 Tahoe. This unit has limited space that is unable to carry all of the equipment that is normally assigned to BC-1. This also leaves 805 unavailable at this time as a reserve unit for the Administrative staff or for other WFR employees while attending training outside of the City.

(14)

There is only one (1) Victory Red Suburban left in the State of Texas currently available under cooperative purchasing programs. If we wait until the FY24 budget is approved, we will be without a BC-1 for another 10 months.

I recommend that we purchase an available 2023 Chevrolet Suburban to replace our current BC-1 from Reliable Chevrolet. The cost of the vehicle is \$48,203.32. We will reuse our current radio, light bar, and siren. The cost of removing these items, purchasing the rest of the aftermarket equipment, and installing all of the aftermarket equipment is \$20,574.21. The total cost to purchase and outfit the new BC-1 is \$68,777.53. The 2014 F-350 will be sold off at auction.

Fiscal Impact: We do not currently have the funds for this purchase. However, the City has sufficient funds in unrestricted reserves. I therefore request a Supplemental Appropriation in the amount of \$68,777.53 be allocated to account # 100-220-57300 Motor Vehicles for the purchase of a new BC-1.



Memorandum

To: Honorable Mayor and City Council
From: Amy Borders, Director of Communications and Marketing
Thru: Michael Scott, City Manager *MS*
Date: January 17, 2023
Re: Film Production/Street Closures for BASS REEVES Project

The opportunity has been presented to the City of Waxahachie to be a filming location for a new large-scale television project called Bass Reeves. This project is part of Taylor Sheridan's popular Yellowstone franchise. Based on a true story, the production tells the story of the first African-American U.S. Marshal.

The proposed filming dates are Monday, February 13 and Tuesday, February 14, with preparation taking place the weekend prior and possibly the end of the previous week.

The primary impact would be the use of parking spaces around the perimeter of the courthouse; and street closures in the 100 block of S. Rogers and the 100 block of E. Main.

In addition to the parking and street closure requests, additional city services that would be essential to production are police officers for intermittent traffic control (off-duty officers paid by the production), barricades and assistance from Streets Department, and other miscellaneous staff as needed – including Parks, Downtown, etc.

Prior to production, communication from both the City and the production company with each of the impacted business would take place. We would also ensure that the Police and Fire Departments, as well as Waxahachie ISD buses are aware of the street closures.

Attached are complete diagrams and layouts of the footprint of the production, as well as a detailed schedule below.

PREP DATES:

WED. 2/8 (approx. 5am -- see below**) through SUN. 2/12

PARKING:

- **24 hour footprint until completion for INNER ring of courthouse parking spaces (except ADA) all 4 days, IF possible**
- Otherwise South & West (Rogers & Franklin) sides are most important because of rigging.
- All 4 sides definitely by Sun. 2/12
- **same set up through shoot dates and wrap dates

POLICE:

- IF NECESSARY based on permit requirements, 1 officer 7a - 7p for general security and traffic control

SHOOT DATES:

MONDAY 2/13

- Set 1 -- Rogers Hotel (5a - 1p approx.)
- Set 2 -- Courthouse (1 - 8pm approx.)

ADDITIONAL PARKING:

- West side of 100 S. Rogers 24 hours beginning 9pm Sun. 2/12

ROAD CLOSURE(S):

- 100 W. MAIN between Jackson & College (5a - 1p)
- 100 S. ROGERS between Main (5a - 8p approx.)

POLICE:

- 7 officers, 6am - 8pm approx.

TUESDAY 2/14

- Film in courthouse only

POLICE:

- 5 officers, 6am - 8pm

PARKING:

- ** As noted above

WRAP / RESTORE:

WEDNESDAY 2/15

THURSDAY 2/16

- 7am - 7pm approx. each day

PARKING:

- **As noted above

BARRICADES / TRAFFIC CONTROL:

TBD per streets department and/or Police.

NOTE: Final traffic control plans and local concurrence (permit) will be attached to the TXDOT paperwork once approved.

(15)



Office of the County Judge
TODD LITTLE

The Historic Courthouse • 101 W. Main, Waxahachie, Texas 75165 • (972) 825-5011

January 12th, 2023

To the Waxahachie City Council:

After careful review of the filming proposal sent to Ellis County by Roger Sterling, I approve of the plan for the film crew to utilize Courthouse Square between February 8th and 16th, including the temporary reservation of roadways and parking space around the Historic Courthouse.

From the County's perspective, interference with normal business will be minimal. Alternate parking is available for employees working in the Historic Courthouse, while court & department staff are in conversation with the film crew to accommodate any potential office space interference within the courthouse.

I believe that this filming project represents a unique opportunity to showcase the rich heritage and architecture of downtown Waxahachie before an international audience. When our local history is featured in a TV show with widespread appeal, our residents, visitors, and businesses alike will develop a renewed appreciation for this community and the timeless values it enshrines.

I wholeheartedly recommend that the City of Waxahachie proceed with approval of this filming proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Little", is written over a horizontal line.

Todd Little,
Ellis County Judge

KEY

RH — Rogers Hotel Lobby (Set 1)

PURPLE — No Parking (Picture)

SET — Courtroom (JP Court)

SET — Clerk (County Judge Office)

SET — Stairs & Basement

ORANGE — Parking for Work Trucks,
Lifts & Rigging (inner ring of Courthouse)

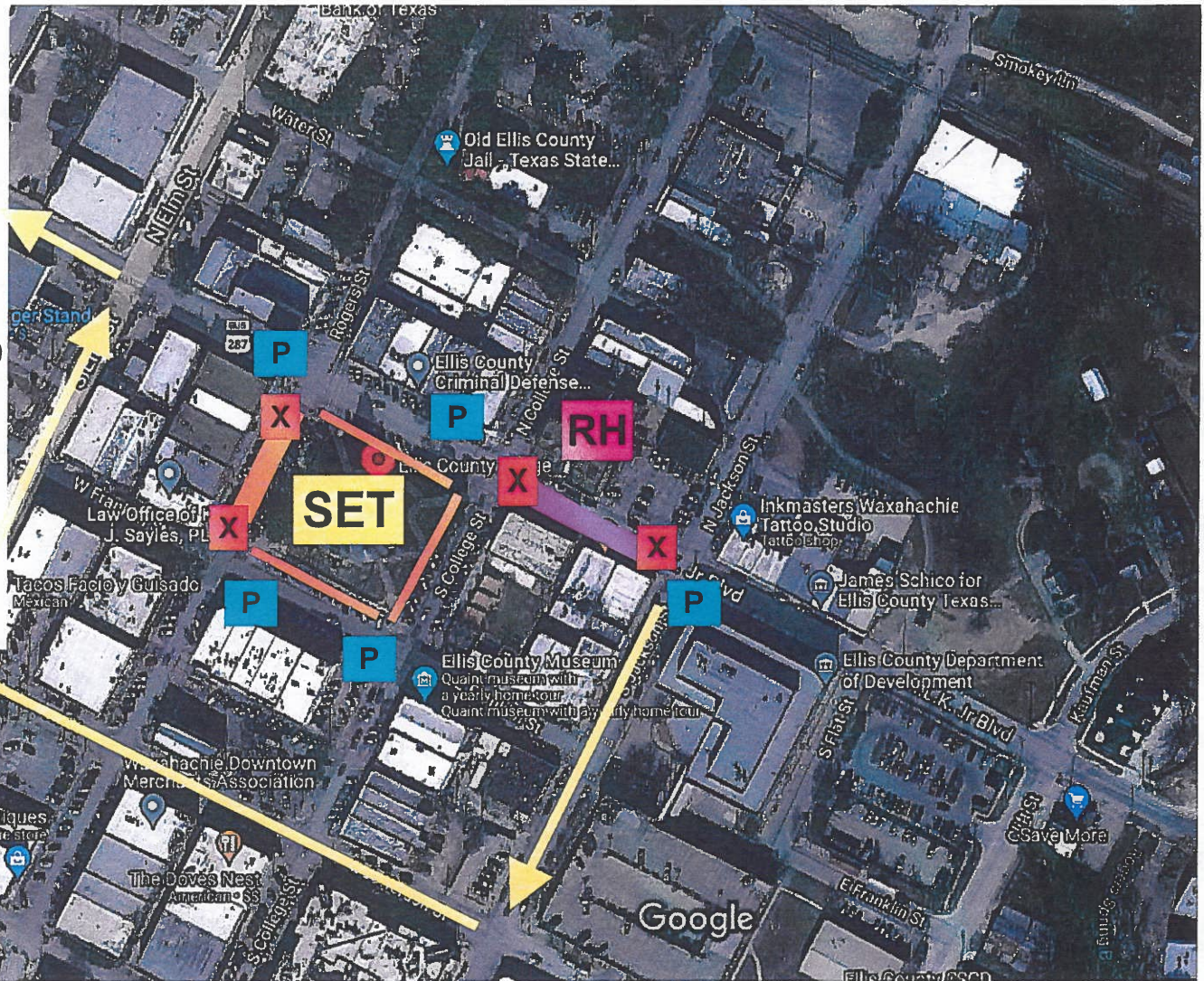
YELLOW — Proposed Detour

NOTE: 100 S. Rogers CLOSED
(pending city approval)

P — Police for ITC

Shoot date: Mon. Feb. 13, 2023
5am — 1pm approx.

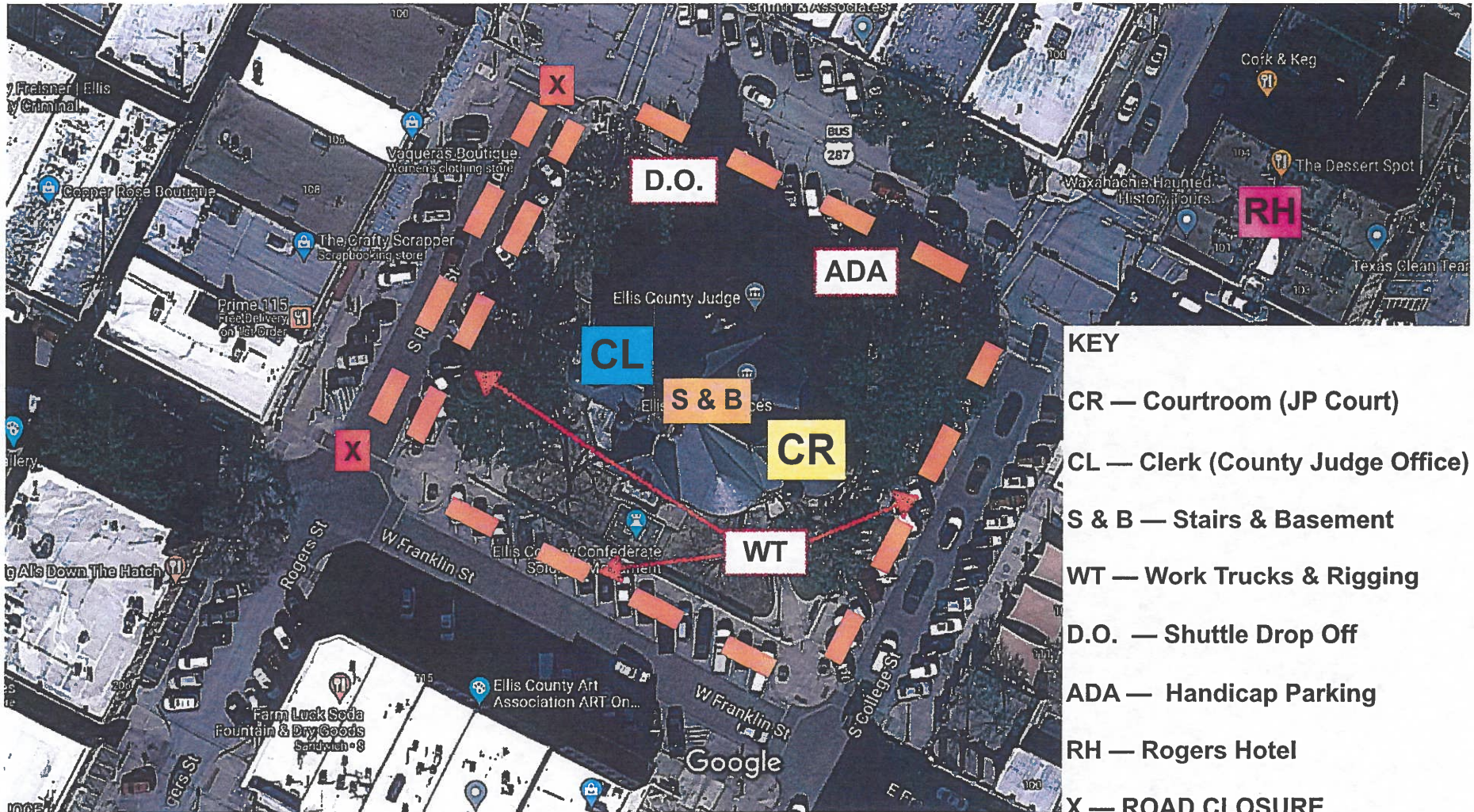
Rogers Hotel Detail



Imagery ©2022 Google, Imagery ©2022 CNES / Airbus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2022 200 ft



(15)



Additional Parking
needed to be clear for
picture. 2/13-2/14

Prime 115
\$10 Off First
Order Use Give10

Straight From
Philly Waxahatch
Order Delivery
on Grubhub

Google

