

**NOTICE OF CITY COUNCIL BRIEFING SESSION
APRIL 1, 2019
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:00 P.M.**

Agenda

Council Members: Kevin Strength, Mayor
David Hill, Mayor Pro Tem
Chuck Beatty, Councilmember
Mary Lou Shipley, Councilmember
Melissa Olson, Councilmember

1. Call to Order
2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting
3. Adjourn

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 469-309-4005 or (TDD) 1-800-RELAY TX

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 on ***Monday, April 1, 2019 at 7:00 p.m.***

Council Members: Kevin Strength, Mayor
David Hill, Mayor Pro Tem
Chuck Beatty, Councilmember
Mary Lou Shipley, Councilmember
Melissa Olson, Councilmember

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Consent Agenda***

All matters listed under Item 4, 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 March 18, 2019
 - b. Minutes of the City Council briefing of March 18, 2019
 - c. National Child Abuse Awareness Block Party on April 26, 2019
 - d. Waxahachie Labor Day Triathlon on September 2, 2019
 - e. C-10's Car Show and Concert on September 21, 2019
5. ***Introduce*** Honorary Councilmember
6. ***Present*** Proclamation proclaiming April 8-12, 2019 as "Boys and Girls Club Week"
7. ***Present*** Proclamation proclaiming April as "Alcohol Awareness Month"
8. ***Continue Public Hearing*** on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180)
9. ***Consider*** proposed Ordinance approving Zoning Change No. SU-18-0180
10. ***Continue Public Hearing*** on a request by Todd Wintters, Engineering Concepts & Design LP, for a Zoning Change from a Future Development and Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located at the NW corner of Marshall Road and Ovilla Road (Property IDs 195446, 191103, 191114, 191113, 191112, 191111, 182906, 182907, 200367, 180351, 200379, 200380) - Owner: ARBORS DEVELOPMENT LLC (PD-18-0210)

11. **Consider** proposed Ordinance approving Zoning Change No. PD-18-0210
12. **Consider** request by Dalton Bradbury, Acker Construction, for a Plat Vacation of a Replat of Lots 4R-A and 4R-B, RVG Plaza, as recorded in Cabinet I, Slide 236 OPRECT on October 15, 2013, being 2.3887 acres situated in the Robert Parks Survey, Abstract 851 and the N.P. Neal Survey, Abstract 1320 (Property ID 238271 and 259297) – Owner: MAQBUL PROPERTY SERVICES & MANAGEMENT INC (PV-19-0014)
13. **Public Hearing** on a request by Kendall Wiley for a Replat of Lot 1R-A, Block A, Wiley’s Retail to create Lots 1R-A and 1R-B, Block A, Wiley’s Retail, 0.996 acres (Property ID 231665) – Owner: KENDALL L & MICHELLE L WILEY (RP-19-0017)
14. **Consider** approving RP-19-0017
15. **Consider** request by Jay Volk, J. Volk Consulting, Inc., for a Final Plat of WISD Ag Center for 1 lot, being 10.647 acres situated in the J. Boyd Survey, Abstract 108 and W.C. Tunnell Survey, Abstract 1080 (Property ID 180503) – Owner: WAXAHACHIE ISD (FP-19-0018)
16. **Consider** request by James R. Henry, for a Final Plat of Crooked Creek Farms for 3 lots, being 95.973 acres situated in the S.M. Durrett Survey, Abstract 272 (Property ID 257995 and 182121) – Owner: JAMES R HENRY and LINDA S OSBORN (FP-19-0019)
17. **Public Hearing** on a request by John Harkins for a Replat of Tract 13, Nod Hill Estates and 1.124 acres out of the J. Barker Survey, Abstract 40 to create Lots 1 and 2, Block A, Harkins Addition, 2.180 acres (Property ID 152926 and 179593) in the Extra Territorial Jurisdiction – Owner: BOBBY D HARKINS and JOHN AND TRINA HARKINS (RP-19-0024)
18. **Consider** approving RP-19-0024
19. **Public Hearing** on a request by Massey Shaw for a Planned Development Amendment for the development of a live screening wall along the Single-Family and Multi-Family lots in lieu of the required brick or masonry screening wall located on the South side of Farley Street at River Oaks (Property ID 182267) – Owner: BLUE BONNET TRAILS LLC (PD-19-0025)
20. **Consider** proposed ordinance approving Zoning Change No. PD-19-0025
21. **Public Hearing** on a request by Ron Barson, Ledbetter Real Estate, Ltd., for a Specific Use Permit (SUP) for Mini-Warehouse or Self-Storage Facility use within a Commercial zoning district, located at 2050 Corporate Parkway (Property ID 273979) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0026)
22. **Consider** proposed ordinance approving Zoning Change No. SU-19-0026
23. **Public Hearing** on a request by John P. Sullivan, Howard Road Industrial Park LLC, for a Specific Use Permit for Heavy Manufacturing use within a Heavy Industrial zoning district, located at 1807 Howard Road (Property ID 195230) – Owner: JOHN PATRICK SULLIVAN (SU-19-0040)

24. **Consider** proposed ordinance approving Zoning Change No. SU-19-0040
25. **Public Hearing** on a request by Brett Hess, Hachie Properties LLC, for a Zoning Change from a Single Family-3 zoning district to Planned Development-Multiple-Family Residential-1, with Concept Plan, located at the NW corner of Peters Street at Parks School House Road (Property ID 226116) – Owner: OLIVER C MCELROY (PD-19-0023)
26. **Consider** proposed ordinance approving Zoning Change No. PD-19-0023
27. **Public Hearing** on a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)
28. **Consider** proposed ordinance approving Zoning Change No. PD-19-0022
29. **Consider** proposed ordinance amending the City of Waxahachie Drought Contingency Plan
30. **Consider** proposed ordinance amending the City of Waxahachie Water Conservation Plan
31. **Consider** Schematic Design Services for Phase One of City Hall Annex Project
32. **Consider** funding request for Sims Library Capital Project
33. **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.
34. **Convene** into Executive Session to consult with City Attorney about pending or contemplated litigation as permitted under Section 551.071 of the Texas Government Code
35. **Reconvene** and take any necessary action
36. Comments by Mayor, City Council, City Attorney and City Manager
37. 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 469-309-4005 or (TDD) 1-800-RELAY TX

(4A)

City Council
March 18, 2019

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 on Monday, March 18, 2019 at 7:00 p.m.

Council Members Present: David Hill, Mayor Pro Tem
Chuck Beatty, Councilmember
Mary Lou Shipley, Councilmember
Melissa Olson, Councilmember

Council Member Absent: Kevin Strength, Mayor

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

1. Call to Order

Mayor Pro Tem David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

City Manager Michael Scott gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Consent Agenda

- a. Minutes of the City Council meeting of March 4, 2019
- b. Minutes of the City Council briefing of March 4, 2019
- c. Renewal of parking and loading zone lease spaces

Action:

Councilmember Mary Lou Shipley moved to approve items a. through c. on the Consent Agenda. Councilmember Chuck Beatty seconded, All Ayes.

5. Introduce Honorary Councilmember

Mayor Pro Tem Hill introduced Ms. Madison Zandt as the Honorary Councilmember for the month of March. Madison Zandt is the daughter of Erick and Jennifer Zandt. As a Senior she is actively involved in many activities, including being a member of WHS Choir, Advanced theater, musical theater, UIL One Act play team, and she also serves as the Indian mascot. You may recognize her as Mary Poppins in the WHS Dramas Department recent production of Mary Poppins. She will be playing the role of Velma Kelly in the production of Chicago. Madison has also competed in the Thespians Solo Musical Theatre competition in 2017 and 2018 and received a perfect score advancing her to the finals. She also was nominated for Best Featured Actress last spring at Dallas Summer Musicals. Madison has also been named All-American Mascot for three consecutive years. Even after being involved in multiple organizations, she has been able to achieve the A/B

honor roll in AP classes. She ranks 82 out of 512. Madison loves to give back to her community volunteering with Special Olympics, Meals On Wheels and especially loves visiting local elementary schools. She has achieved the Lifetime Presidential Volunteer Services Award achieving over 4,000 hours of community service in her lifetime. With big dreams to be on Broadway, she will attend The University of Central Oklahoma and major in Musical Theatre. Mayor Pro Tem Hill presented her with a Certificate of Appreciation for her participation in the Honorary Councilmember program.

6. Recognize Utilities Department for receiving the 2019 Best Tasting Surface Water Award from Texas Water Utilities Association

City Council recognized the Utilities Department for receiving the 2019 Best Tasting Surface Water Award from Texas Water Utilities Association. Utilities Director David Bailey recognized the surface water team and thanked them for their work. He explained this award is presented to only one surface water system annually in Texas. Winners were selected through analysis and tasting conducted by a panel of judges during a blind taste test. The competitors were made up of winners from nine TWUA Regional Best Tasting Water contests in 2018. The City of Waxahachie won the contest at the North Central Texas regional contest in May 2018 allowing them to compete statewide at the professional development event held in Corpus Christi.

City Manager Scott thanked the Utilities Department for their work.

7. Consider Waxahachie Community Development Corporation Financial Report for year ended September 30, 2018

Finance Director Charlie Harris presented the Waxahachie Community Development Corporation Financial Report for year ended September 30, 2018. He reviewed the Independent Auditor's report noting the financial statements presented fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Corporation, as of September 30, 2018, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America. Mr. Harris reviewed the following financial highlights:

- Received an increased credit rating from A- to A+
- Reviewed adopted budget versus actual budget. Budget adjustments for the year included Civic Center Projects, Amphitheater, and purchase of old Magnabland Property
- Healthy fund balance to operate for 157 days
- "Clean", unqualified opinion, which is the highest level that can be given

Action:

Councilmember Chuck Beatty moved to approve the Waxahachie Community Development Corporation Financial Report for year ended September 30, 2018 as presented. Councilmember Mary Lou Shipley seconded, All Ayes.

8. Consider Robert W. Sokoll Treatment Plant Financial Report for year ended September 30, 2018

Mr. Harris presented the Robert W. Sokoll Treatment Plant Financial Report for year ended September 30, 2018 noting the auditor's gave it a "clean", unqualified opinion with no management letter. He explained this audit is a bit unusual because it is contractually required to break even; therefore, adjustments are made at year-end to comply. The agreement between the city and Rockett Special Utility District states operating costs and repayment of debt is split 50/50.

Councilmember Melissa Olson inquired about "net position ending" balance. Mr. Harris explained the "net position ending" is not a cash base figure and includes the deficit, which includes the accumulated debt over time. Councilmember Olson asked if the Sokoll Plant is losing money every year and Mr. Harris explained on a cash basis you are breaking even annually but on an accrual basis you are showing a loss due to early year losses and depreciation.

City Manager Scott thanked Mr. Harris and the Finance Department for their work.

Action:

Councilmember Mary Lou Shipley moved to accept the Robert W. Sokoll Treatment Plant Financial Report for year ended September 30, 2018 as presented. Councilmember Chuck Beatty seconded, All Ayes.

9. **Continue Public Hearing on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180)**

Mayor Pro Tem Hill continued the Public Hearing for SU-18-0180.

Planning Director Shon Brooks presented the case and explained the Planning and Zoning Commission denied the request due to the 2015 stipulations not being met. Mr. Brooks explained the applicant has since provided fencing, paving, landscaping, and irrigation. He noted the shrubs planted aren't very substantial and requests additional consideration by city council. Mr. Brooks also noted the 2015 specific use permit stipulations required pavement along Interstate 35 for 400 ft. and 80 feet deep. The applicant put in 800 ft. along Interstate 35 and 40 feet deep.

Mr. Kevin McDonnel, 215 W. Second Street, Waxahachie, explained about \$220,000 has been spent to date for site compliance and the applicant was not aware that the landscaping was insufficient. He reported the signage was removed and fencing, landscape, and irrigation were added.

Councilmember Mary Lou Shipley asked the applicant if he discussed with city staff about not complying with the landscaping and paving requirement. She asked if he recalled at the last meeting being told he needed to hire a landscape professional and if he complied.

Mr. Walter Estrada, 115 Parks Branch Road, Red Oak, explained he selected plants from a list provided by the city. He stated he spoke with city staff about changes to the concrete but did not receive a final answer on the size of the paving. He noted he spoke with a local nursery.

(4a)

Mr. Brooks reiterated the applicant received a list of the 2015 SUP stipulations, which included the paving dimensions. He explained the current landscaping does not serve the purpose for screening.

Councilmember Olson reminded the applicant she expressed concerns with the landscaping at the last meeting. She explained her understanding of the recent costs associated with the improvements but noted these were required to be completed since 2015.

Councilmember Chuck Beatty noted I35 should be aesthetically pleasing as a major thoroughfare for Waxahachie.

After a lengthy discussion, it was the consensus of city council to have the applicant address the landscaping issues with a professional landscape architect as previously requested.

Action:

Councilmember Chuck Beatty moved to continue the Public Hearing on to the April 1, 2019 City Council meeting. Councilmember Melissa Olson seconded, All Ayes.

10. Consider proposed Ordinance approving Zoning Change No. SU-18-0180

No action taken.

11. Consider proposed Ordinance creating Animal Care Advisory Committee and appoint members

Police Chief Wade Goolsby explained the Health and Safety Code Chapter 823, Sec. 823.005 requires that an Animal Control Advisory Committee be created to work with Animal Services to ensure that practices and procedures related to animal control are humane, consistent with industry standards and in the best interest of the community. He noted the committee is required to have one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization. Chief Goolsby presented the proposed ordinance including the list of qualified individuals to serve on the committee.

ORDINANCE NO. 3102

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADDING ARTICLE VIII, "ANIMAL CARE ADVISORY COMMITTEE," TO CHAPTER 6, "ANIMALS AND FOWL," OF THE WAXAHACHIE CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Councilmember Mary Lou Shipley moved to approve Ordinance No. 3102 as presented. Councilmember Chuck Beatty seconded, All Ayes.

(4a)

12. Consider award of a three-year master service agreement with Bureau Veritas North America, Inc. for health inspection services, on an as needed basis, through an inter-local purchasing agreement with the City of Midlothian

Assistant City Manager Tommy Ludwig explained staff is recommending a three-year master service agreement with Bureau Veritas North America, Inc. for third party health inspection services. He noted the City Health Inspector position is currently vacant and the contract would be utilized while searching to fill the position.

Action:

Councilmember Mary Lou Shipley moved to award a three-year master service agreement with Bureau Veritas North America, Inc. for health inspection services, on an as needed basis, through an inter-local purchasing agreement with the City of Midlothian as presented. Councilmember Chuck Beatty seconded, All Ayes.

13. Public Comments

None

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

Councilmember Melissa Olson thanked Ms. Madison Zandt for participating in the Honorary Councilmember program for March. She expressed her condolences for Public Works Director Jeff Chambers on the loss of his wife and requested continued prayers for City Secretary Lori Cartwright for improved health. Councilmember Olson announced March is MS Awareness Month and Poston Gardens is now open.

Councilmember Chuck Beatty thanked Ms. Zandt for her attendance and thanked the Utilities Department for their work.

Mayor Pro Tem David Hill thanked Ms. Zandt and her mother for their attendance at the council meeting. He asked for prayers for Mr. Chambers and our city staff battling health issues.

Councilmember Mary Lou Shipley thanked Ms. Zandt for her attendance and noted she looks forward to seeing her in the production of Chicago. She also asked for prayers for City Secretary Cartwright.

City Attorney Robert Brown echoed the prayers for City Secretary Cartwright.

Ms. Madison Zandt thanked city council for allowing her to participate in the Honorary Councilmember program.

Director of Communications and Marketing Amy Borders reminded everyone of the following events: Poston Gardens, open daily; Scarborough Renaissance Festival, opening the first weekend in April; Farmers Market, opening April 27th; Film and Music Festival, April 25th-28th. She encouraged everyone to visit waxahachiecvb.com for more events.

(40)

15. Adjourn

There being no further business, Councilmember Chuck Beatty moved the meeting adjourn at 7:52 p.m. Councilmember Mary Lou Shipley seconded, All Ayes.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary

City Council
March 18, 2019

(4b)

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, March 18, 2019 at 6:30 p.m.

Council Members Present: David Hill, Mayor Pro Tem
Chuck Beatty, Councilmember
Mary Lou Shipley, Councilmember
Melissa Olson, Councilmember

Council Member Absent: Kevin Strength, Mayor

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

1. Call to Order

Mayor Pro Tem David Hill called the meeting to order.

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

City Manager Michael Scott reviewed the following items:

- Consent agenda includes parking and loading zone renewals.
- Recognize Honorary Councilmember for March 2019.
- Waxahachie Community Development Corporation Audit and Robert W. Sokoll Audit will be presented by the Finance Director. The audits were presented fairly and accurately.

Planning Director Shon Brooks reviewed SU-18-0180. Mr. Brooks explained the applicant has provided fencing, paving, landscaping, and irrigation. He noted the landscaping is weak and if approved by council, he requests additional shrubs at least two feet in height. Councilmember Mary Lou Shipley asked if the applicant provided a landscape plan by a licensed architect and Mr. Brooks noted yes, but does not believe the landscape matches the height on the plan. Mr. Brooks also explained the correct square footage of the concrete was installed but not in the length and depth outlined by council. Assistant City Manager Tommy Ludwig noted he thought the applicant did the concrete layout to do what was best for his site and that's why he didn't comply with the design the council requested. It was the consensus of council to have the applicant address the landscaping issues.

Police Chief Wade Goolsby explained the Health and Safety Code Chapter 823, Sec. 823.005 requires that an Animal Control Advisory Committee be created to work with Animal Services to ensure that practices and procedures related to animal control are humane, consistent with industry standards and in the best interest of the community. He noted the committee is required to have one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization. Chief Goolsby provided a list of qualified individuals to serve. Councilmember Melissa Olson asked if residents can be added to the board and City Manager Scott noted as the ordinance is

(4b)

City Council
March 18, 2019
Page 2

written, additional members can be added during the board and commission selection process and this ordinance and proposed committee is just to bring the city into compliance with the code for the required members.

Assistant City Manager Ludwig explained staff is recommending a three-year master service agreement with Bureau Veritas North America, Inc. for third party health inspection services. He noted the City Health Inspector position is currently vacant and the contract would be utilized while searching to fill the position.

Councilmember Olson inquired about the \$1.5 million transfer in and out of the WCDC audit. City Manager Scott explained that was transferred out of WCDC to the city's general fund for park improvements.

3. Adjourn

There being no further business, the meeting adjourned at 6:58 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary

(40)



Application for a Festival or Event Permit

Event Name and Description: Open House "Block Party" for National
Child Abuse Awareness and 20yr. Anniversary of the Ellis Co.
Children's Advocacy Center. Activities such as bounce houses
for kids, movie, and food trucks available. Event is free for public.

Applicant Information

Name: Leslie Deen - Ellis County Children's Adv. Cnt.

Address: 425 E. Ross St.

City, State, Zip: Waxahachie, TX 75165 Phone: 972-937-1870

E-mail Address: Ldeen@elliscountycac.org

Organization Information

Organization Name: Ellis County Children's Advocacy Center

Address: 425 E. Ross St. Waxahachie, TX 75165

Authorized Head of Organization: Leslie Deen - Executive Director

Phone: 972-937-1870 E-mail Address: Ldeen@elliscountycac.org

Event Chairperson/Contact

Name: Hlaina McMurray

Address: 425 E Ross St.

City, State, Zip: Waxahachie, TX 75165 Phone: 972-937-1849

E-mail Address: amcmurray@elliscountycac.org

Event Information

Event Location/Address: 425 E. Ross St. Waxahachie, TX

Purpose: Open House, child abuse awareness family activities

Event Start Date and Time: 4/26/19 6:00pm

(4C)

Event End Date and Time: 4/26/19 9:00pm

Approximate Number of Persons Attending Event Per Day: 100-150

Site Preparation and Set-Up Date and Time: 4/26/19 12pm - 6:00pm

Clean-Up Completion Date and Time: 4/26/19 9pm - 10pm

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

All activities will be on our property on 425 E. Ross St. We'd like to have bounce houses and activities for families such as field activities, face painting, etc. Traffic on Farley St. may become heavy and parking may be heavy on streets surrounding the center.

Will food and/or beverages be available and/or sold? YES/NO

*Will alcohol be available and/or sold? YES/NO

If yes, will the event be in the Historic Overlay District? YES/NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? No

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

[Signature]
Signature of Applicant

3/13/19
Date

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

Ross Ave.

(Food Truck) Parking (Food Truck)

Garage
Movie
Screen

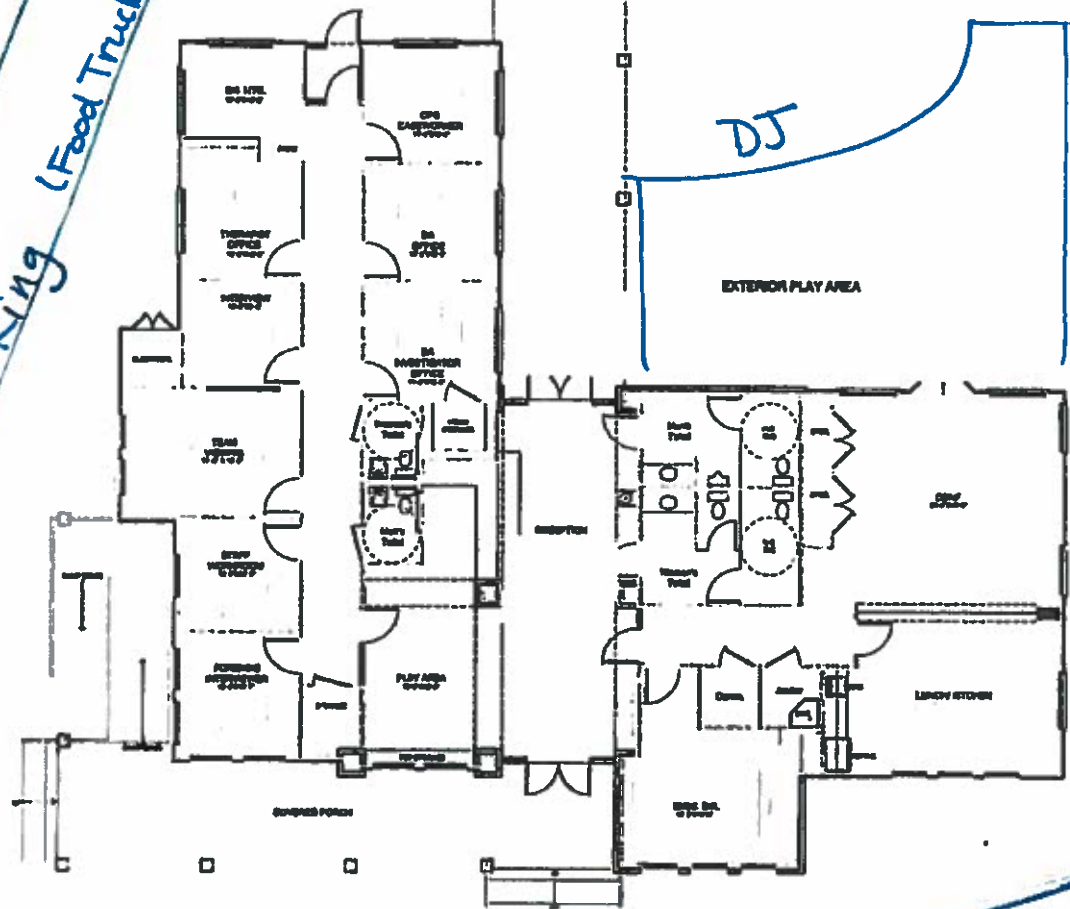
Bounce Houses

Parking

Open Field
Family
Activities

DJ

EXTERIOR PLAY AREA



01 FLOOR PLAN

Farley St.

(4c)



ELLIS COUNTY ADVOCACY CENTER EMERGENCY PLAN

DATE: April 26, 2019

LOCATION OF INCIDENT: 425 E. Ross St. Waxahachie

BEGINNING TIME: 6:PM **ENDING TIME:** 9:PM

TYPE OF EVENT: Block Party

EXPECTED ATTENANCE: 100- 200 people throughout the event time frame

EVENT INFORMATION

This event is an open house/block party for the Child Advocacy Center. There will be family oriented activities to include bounce houses, food trucks, music and other family related activities.

EVENT ISSUES

PARKING – The Advocacy Center has parking available around the facility. The police department has offered their public parking lot for overflow parking. There is also “on the street” parking on Richmond Street.

Emergency Situations –

Medical Emergency

Advocacy Center staff members will monitor event participants for any medical emergencies. In the event of a medical emergency, the Waxahachie Emergency Dispatch Center will be notified by calling 9-1-1. Emergency medical personnel will be dispatched to the location from the dispatch center.

Police Related Emergency

In the event of an act of violence or terroristic threat, the police department will be notified via 9-1-1 of the situation. The police department is located approximately one block away from the event.

Weather Events

In the event of a weather event, participants will be directed to the Advocacy Center for shelter.

Depending on the severity and/or duration of the event, the block party event will be cancelled.

EMERGENCY NUMBERS – 9-1-1 for Ambulance, Fire, or Police

AMBULANCE (AMR) 844-893-0661 ON STANDBY ☐ YES ☒ NO

(4C)

Villarreal, Amber

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Thursday, March 14, 2019 11:31 AM
To: Villarreal, Amber
Subject: RE: Event Application-Children's Advocacy Center Block Party

I don't have any issues.

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Thursday, March 14, 2019 11:24 AM
To: Wade Goolsby <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Robert Best <rbest@waxahachiepd.org>; Tommy Ludwig <tludwig@waxahachie.com>
Cc: Michael Scott <msscott@waxahachie.com>
Subject: Event Application-Children's Advocacy Center Block Party

Please review the attached event application and send me your comments and/or concerns. Tommy, I've let the applicant know that if food is made on-site they will need to be permitted through the Health Department.

Thank you,

Amber Villarreal, TRMC
Assistant 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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(4c)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Thursday, March 14, 2019 11:55 AM
To: Villarreal, Amber
Subject: Re: Event Application-Children's Advocacy Center Block Party

I have no issues with this request.

Sent from my iPhone

On Mar 14, 2019, at 11:25, Villarreal, Amber <avillarreal@waxahachie.com> wrote:

Please review the attached event application and send me your comments and/or concerns. Tommy, I've let the applicant know that if food is made on-site they will need to be permitted through the Health Department.

Thank you,

Amber Villarreal, TRMC
Assistant 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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<Event Application-Children's Advocacy Block Party.pdf>

(4C)

Villarreal, Amber

From: Ludwig, Tommy
Sent: Thursday, March 14, 2019 12:54 PM
To: Villarreal, Amber; Wade Goolsbey; Ricky Boyd; Robert Best
Cc: Scott, Michael
Subject: RE: Event Application-Children's Advocacy Center Block Party

Amber,

If the food truck is a licensed food establishment with the City, they should already have their required health permit. The applicant will need to confirm they have a valid permit issued by the City; if they do not they will need to come in to apply for a permit before the event.

Accord to their diagram the food trucks will be parked on the private property. No food truck would be allowed to park and conduct business in the City's right of way. On street parking will be allowed where permitted, but on street parking cannot block driveways/access to residences or businesses. Other than that, I think we are good.

Thanks,



Tommy Ludwig
Assistant City Manager
City of Waxahachie
O: 469-309-4021
C: 214-949-0529
TLudwig@waxahachie.com

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Thursday, March 14, 2019 11:24 AM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Robert Best <rbest@waxahachiepd.org>; Ludwig, Tommy <tludwig@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>
Subject: Event Application-Children's Advocacy Center Block Party

Please review the attached event application and send me your comments and/or concerns. Tommy, I've let the applicant know that if food is made on-site they will need to be permitted through the Health Department.

Thank you,

Amber Villarreal, TRMC
Assistant 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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(4A)

RECEIVED IN
CITY SECRETARY'S OFFICE
3-15-19
CITY OF WAXAHACHIE, TEXAS

Application for a Festival or Event Permit

Event Name and Description: Waxahachie Labor Day Triathlon -
held in prior years - transitioning to The Gift of Adoption
to host the event. Full non-profit charity event.

Applicant Information

Name: Jeremy Morton
Address: 520 Boyce Road
City, State, Zip: Waxahachie, TX, 75165 Phone: 214-538-8275
E-mail Address: jeremy.morton@aon.com

Organization Information

Organization Name: Gift of Adoption Fund, Inc
Address: PO BOX 567, 2001 Waukegan Road, Techny, IL 60082
Authorized Head of Organization: Adam Pfeil - President - Texas chapter
Phone: 817-287-1196 E-mail Address: herr_pfeil@msn.com

Event Chairperson/Contact

Name: Jeremy Morton
Address: 520 Boyce Road
City, State, Zip: Waxahachie, TX, 75145 Phone: 214-538-8275
E-mail Address: jeremy.morton@aon.com

Event Information

Event Location/Address: Waxahachie Lake, Lakeshore Drive
Purpose: Charity Event - Triathlon - Gift of Adoption
Event Start Date and Time: Monday September 2nd, 2019 5:00 A.M - 3:00 P.M.

(4d)
Event End Date and Time: Monday September 2nd 5:00 P.M.

Approximate Number of Persons Attending Event Per Day: 75-100

Site Preparation and Set-Up Date and Time: Monday September 2nd around 3:30 A.M.

Clean-Up Completion Date and Time: Monday September 2nd by 5:00 P.M.

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

Swim 500m - Buoy supplied by PlayTri, leaves out from dock area near Waxahachie Lake pavilion. Portions of Old Italy Road will be closed.

There will be bikers on 877 (Howard Road), but the road is not closed.

In years passed we have had volunteers from the fire department, ~~the~~ boys club, radio club, Waxahachie cycling club, & many others to support the event.

There will be an awards booth but no vendor booths.

Will food and/or beverages be available and/or sold? YES/NO fruit & water only not sold donated & provided.

*Will alcohol be available and/or sold? YES/NO

If yes, will the event be in the Historic Overlay District? YES/NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? NO


Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

Jeremy Morton 3/11/2019
Signature of Applicant Date

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).

Dutch Aquarium System  M L K Jr Blvd

Texas Department
of Public Safety

- Volunteer Turnaround & Cons.

Lions Park

Howard Ro

Howard Rd

How

Whiskey Creek

Waxahachie Lake

Howard Rd

City Park

Iwan2b

Lakeshore Dr

Waxahachie
Lake Reville

Tri
Swim
Area

500m

Bike Transient

Like a
first

2024

WATER

5 miles out & back = Run.

(4d)

(4d)

Villarreal, Amber

From: Smith, John
Sent: Friday, March 15, 2019 1:38 PM
To: Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Martinez, Gumaro; Mosley, Laurie; Robert Best
Cc: Scott, Michael
Subject: RE: Event Application

Approved.

Thanks,
John

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, March 15, 2019 1:19 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Robert Best <rbest@waxahachiepd.org>
Cc: Scott, Michael <msscott@waxahachie.com>
Subject: Event Application

Please review the attached event application and send me your comments and/or concerns.

Thank you,

Amber Villarreal, TRMC
Assistant 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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(4A)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Friday, March 15, 2019 1:48 PM
To: Villarreal, Amber
Subject: RE: Event Application

I have no concerns with this application. We will coordinate having our dive team there.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, March 15, 2019 1:19 PM
To: Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Robert Best <rbest@waxahachiepd.org>
Cc: Scott, Michael <msscott@waxahachie.com>
Subject: Event Application

Please review the attached event application and send me your comments and/or concerns.

Thank you,

Amber Villarreal, TRMC
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(4A)

Villarreal, Amber

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Friday, March 15, 2019 2:07 PM
To: Villarreal, Amber
Subject: RE: Event Application

We have not had any issues in the past so I have no objections.

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Friday, March 15, 2019 1:19 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; John Smith <jsmith@waxahachie.com>; Gumaro Martinez <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Robert Best <rbest@waxahachiepd.org>
Cc: Michael Scott <msscott@waxahachie.com>
Subject: Event Application

Please review the attached event application and send me your comments and/or concerns.

Thank you,

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
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(4d)

Villarreal, Amber

From: Mosley, Laurie
Sent: Monday, March 18, 2019 10:57 AM
To: Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Smith, John; Martinez, Gumaro; Robert Best
Cc: Scott, Michael
Subject: RE: Event Application

As long as John and the Chiefs approve, I approve ☺.

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, March 15, 2019 1:19 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Robert Best <rbest@waxahachiepd.org>
Cc: Scott, Michael <msscott@waxahachie.com>
Subject: Event Application

Please review the attached event application and send me your comments and/or concerns.

Thank you,

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
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(4e)



Memorandum

To: Honorable Mayor and City Council

From: Anita Brown *AB*

Thru: Michael Scott, City Manager *[Signature]*

Date: March 20, 2019

Re: C-10's Car Show and Concert, September 21, 2019

This is an annual event organized by Terry Hill. Over 800 trucks are registered.

Request street closures for the C-10's car show and concert (see attached map)

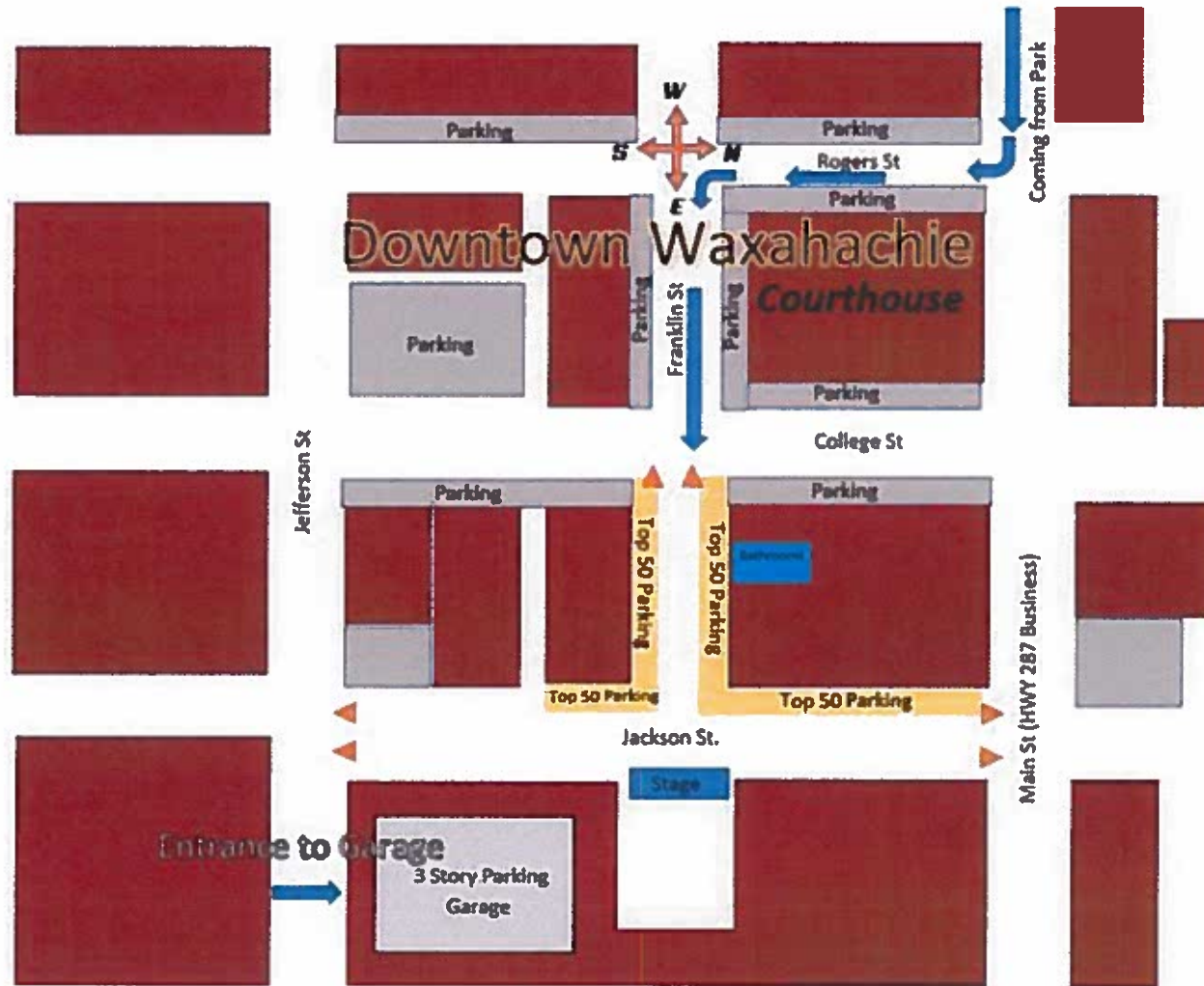
Jackson Street from Main to Jefferson from noon to 11 pm

Franklin Street from College to Jackson from noon to 11 pm

The bulk of this event will take place in Getzendaner Park, but like last year, the organizers want to have an evening concert and gathering downtown on Saturday night. In addition to street closures, the event organizers are requesting trash cans, portable toilets, and picnic tables. Alcohol will be sold to event goers by a third party—Waxahachie Chamber of Commerce.

This event has grown every year and is welcomed by the downtown stakeholders.

Terry Hill is expected to be at the council meeting to answer any questions. Laurie and I will also be there.



(42)

(16)

PROCLAMATION

WHEREAS, the young people of Waxahachie are tomorrow's leaders; and

WHEREAS, many such young people need professional youth services to help them reach their full potential; and

WHEREAS, there is one Boys & Girls Club organization in Waxahachie providing services to more than 150 young people annually; and

WHEREAS, Boys & Girls Clubs are places where great futures start. They are at the forefront of efforts in academic success, healthy lifestyles, and good character and citizenship; and

WHEREAS, Boys & Girls Club organizations in our state help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs;

NOW, THEREFORE, I, Kevin Strength, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim the week of April 8 – April 12, 2019 as

“BOYS & GIRLS CLUB WEEK”

in Waxahachie and call on all citizens to join with me in recognizing and commending the Boys & Girls Club organizations in our state for providing comprehensive, effective services to the young people in our communities.

Proclaimed this 1st day of April, 2019.

MAYOR

ATTEST:

ASSISTANT CITY SECRETARY

(17)

PROCLAMATION

WHEREAS, excessive drinking is responsible for more than 4,300 deaths among underage youth each year; and

WHEREAS, alcohol is the most commonly used addictive substance in the United States; and

WHEREAS, more than 1.6 million young people report driving under the influence of alcohol in the past year; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, drinking by persons under the age of 21 is linked to 189,000 emergency room visits; and

WHEREAS, the typical American will see 100,000 beer commercials before he or she turns 18; and

WHEREAS, kids who drink are more likely to be victims of violent crime, to be involved in alcohol-related traffic crashes, and to have serious school-related problems; and

WHEREAS, a supportive family environment is associated with lowered rates of alcohol use for adolescents; and

WHEREAS, kids who have conversations with their parents and learn a lot about the dangers of alcohol and drug use are 50 percent less likely to use alcohol and drugs than those who don't have such conversations.

NOW, THEREFORE, I, Mayor Kevin Strength, along with the entire City Council, join Facing Addiction with NCADD to proclaim April 2019 as

“ALCOHOL AWARENESS MONTH”

and call upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, schools and colleges in Waxahachie to support efforts that will provide early education about alcoholism and addiction and increase support for individuals and families coping with alcoholism. Through these efforts, together, we can provide **“Help for Today, Hope for Tomorrow”** for those in our community who are facing challenges with use of alcohol.

PROCLAIMED this 1st day of April, 2019.

MAYOR

ATTEST:

ASSISTANT CITY SECRETARY

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0180



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: April 1, 2019 (continued from March 18, 2019)

CAPTION

Public Hearing on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180)

Update Since March 18th Council Meeting

At the March 18, 2019 City Council meeting, Council provided landscape requirements to be completed before the April 1, 2019 City Council meeting. Landscape requirements include:

- Submitting a signed and sealed plan from a Landscape Architect to staff. The landscape plan must be fully vetted before the April 1, 2019 City Council meeting.
- The applicant shall increase the planting size for the purpose of screening the site. The applicant shall also provide mulch to serve as a function of ensuring the plants survival, as well as covering any rocky areas that remain. A Landscape Architect shall provide guidance for this requirement as well.

At the time of this report (3/28/2019), the applicant has not submitted a signed and sealed plan from a Landscape Architect, nor has the applicant installed any additional planting for the property. Pending that the applicant does not meet the required stipulations set at the 3/18/2019 City Council meeting, staff's recommendation will remain denial.

CITY COUNCIL ACTION

At the City Council meeting, held January 22, 2019, the Council voted 5-0 to continue case no. SU-18-0180 to the February 18, 2019 City Council meeting.

At the February 18, 2019 City Council meeting, the Council voted 5-0 to continue case no. SU-18-0180 to the March 18, 2019 City Council meeting.

At the March 18, 2019 City Council meeting, the Council voted 5-0 to continue case no. SU-18-0180 to the April 1, 2019 City Council meeting.

PLANNING AND ZONING ACTION

At the Planning & Zoning Commission meeting, held January 8, 2019, the Commission voted 5-0 to recommend denial for case no. SU-18-0180 as presented by staff.

CASE INFORMATION

Applicant: Barb J. Hall

Property Owner(s): Luis Estrada

Site Acreage: 29.74 acres

Current Zoning: Light Industrial-2 and Future Development

Requested Zoning: Light Industrial-2 and Future Development with SUP

SUBJECT PROPERTY

General Location: 4675 N Interstate 35

Parcel ID Number(s): 188460

Existing Use: Ervin Trucks and Trailer Rentals

Development History: The site is unplatted, however, the current SUP for the property, Ordinance No. 2808 expires January 1, 2019.

Case No.	Direction from Site	Request	Result
ZA2015-15	Site	SUP for use	Approved, Ord. No. 2808

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI1	Currently undeveloped
East	LI2	Nutri Ag.
South	LI1	Austin Industrial Park
West	LI1	Austin Industrial Park

Future Land Use Plan: Highway Commercial

Comprehensive Plan: Highway Commercial areas are intended to allow for traditional commercial land uses, but such uses should be developed to a higher standard. For example, outside storage may be permitted, but would have to be screened and not visible from the road. In addition, a more limited array of commercial uses would be permitted. Hotels, motels, and car dealerships would be permitted, for example, but manufactured home sales and self-storage buildings would not. The idea is for these areas to

(8)

show a positive image of Waxahachie and make visitors want to travel into the main part of the City.

Thoroughfare Plan:

The site is accessed via Interstate 35 Service Road.



Site Images:



PLANNING ANALYSIS

The applicant operates a trailer and truck rental and sales business at this site. The SUP to continue the use expires on January 1, 2019. The applicant would like to continue the usage at the site, however the use and the maintenance of the site are not in compliance with the City's future land use plan for the site. Additionally, the parking lot at the site is unpaved, trailers are parked on gravel, dirt and grass, and has existing illegal signage along the property. The requirements of the SUP in 2015 required landscaping and ornamental rail fencing be installed along the I-35 frontage to enhance the property. As of this time, these site improvements have not been completed. At the September 8, 2015 City Council meeting, City Council informed the applicant of the need to beautify the site through increased landscaping and improving the fencing as a condition for the SUP. At the January 8, 2019 Planning and Zoning meeting, the Commission voted 5-0 to recommend denial for case no. SU-18-0180 due to the applicant only partially addressing staff concerns over a three year period. At the City Council meeting, held January 22, 2019, the Council voted 5-0 to continue the case to the February 18, 2019 City Council

meeting to allow the applicant time to complete and address all of staff's concerns, as well as the council stipulations (*see below*) from the September 8, 2015 meeting.

At the March 18, 2019 City Council meeting, the Council voted 5-0 to continue case no. SU-18-0180 to the April 1, 2019 City Council meeting.

COUNCIL STIPULATIONS FROM SEPTEMBER 8, 2015 MEETING

- 1) Applicant is requesting approval of a Specific Use Permit (SUP) for the used tractor sales.
- 2) They are required to utilize pavement along Interstate 35 for 400 ft. and 80 ft. deep, for the display of the tractors, while allowing the storage of trailers on gravel at the back of the lot.
- 3) The storage of the trailers on the back part of the lot is a legal non-conforming use that is not affected by this application.
- 4) The 2007 Future Land Use Plan has this area being Highway Commercial. This calls for traditional commercial land uses that are developed to higher standards due to higher visibility. The Highway Commercial designation allows for some commercial uses while maintaining a positive image of Waxahachie along the Interstate 35 corridor.
- 5) Floodplain limits must be shown on the site plan. Any work within the floodplain must be determined by engineering methods, performed by a Professional Engineer, which creates no rise to the floodplain.
- 6) There will be landscaped clusters of ornamental trees and shrubs placed within the landscaped frontage. The requirement for street trees has now been met.
- 7) A 6 ft. high wrought iron fence is proposed.
- 8) Generally, undeveloped lands surround this site; any residential is greater than 500 ft. away.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 4 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 12/21/18.

STAFF CONCERNS

1. Staff is concerned about continuing this use along one of the main entryways into the City of Waxahachie.
2. Trailers are parked on gravel, dirt, and grass instead of the required concrete.
3. Trailers and trucks are parked in the floodplain.
4. There is illegal pole sign as well as illegal signage located along the fence of the property.
5. Staff would like for the applicant to "beautify" the property (increase landscaping and improve fencing for the SUP).
6. No existing irrigation for the property.

APPLICANT'S RESPONSE

1. The applicant has completed the required fencing, landscaping with small shrubs, and irrigation for the property. Pending that the required landscape stipulations *set at the 3/18/2019 City Council meeting* are met, the applicant will have all staff concerns addressed.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☒ Denial
At the time of this report (3/28/2019), the applicant has not submitted a signed and sealed plan from a Landscape Architect, nor has the applicant installed any additional planting for the property. Pending that the applicant does not meet the required stipulations set at the 3/18/2019 City Council meeting, staff's recommendation will remain denial.
- ☐ Approval, as presented.

ATTACHED EXHIBITS

1. Ordinance No. 2808

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(8)

ORDINANCE NO. 2808

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON PROPERTY IN THE E. C. NEWTON SURVEY, ABSTRACT NO. 790 AND J. SHAVER SURVEY, ABSTRACT NO. 1000, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS LOCATED AT 4675 INTERSTATE HIGHWAY 35-E, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LIGHT INDUSTRIAL-2 AND FUTURE DEVELOPMENT (LI-2 & FD) TO LIGHT INDUSTRIAL-2 AND FUTURE DEVELOPMENT WITH SPECIFIC USE PERMIT (LI-2 & FD w/SUP), FOR THE PURPOSE OF ALLOWING TRUCK AND TRAILER RENTAL AND SALES, 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 of 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, the hereinbelow described property is classified in said ordinance and any amendments thereto as Light Industrial-2 and Future Development (LI-2 & FD); and

WHEREAS, proper application for a Specific Use Permit has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended 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 Specific Use Permit;

NOW, THEREFORE, this Specific Use Permit is to allow truck and trailer rental and sales, and the Specific Use Permit is hereby authorized on the following property:

Property in the E. C. Newton Survey, Abstract No. 790 and J. Shaver Survey, Abstract No. 1000, Waxahachie, Ellis County, Texas, located at 4675 Interstate Highway 35-E, Waxahachie, Ellis County, Texas.

Said Specific Use Permit is granted subject to all regulations and licensing requirements. This Specific Use Permit is for three years only and expires January 1, 2019. If the Landowner wishes to continue the uses covered by the Specific use Permit, they must, before that date, make a new application for a new Specific Use Permit.

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

An emergency is declared to exist and this ordinance is to be effective upon passage.

PASSED, APPROVED AND ADOPTED on this 8th day of September, 2015.


MAYOR

ATTEST:

City Secretary



(8)

Exhibit A - Location Exhibit



**SU-18-0180 4675 N Interstate 35E
Trailer, Truck Sales, or Rental
Location Exhibit**

Legend

 SU-18-0180

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

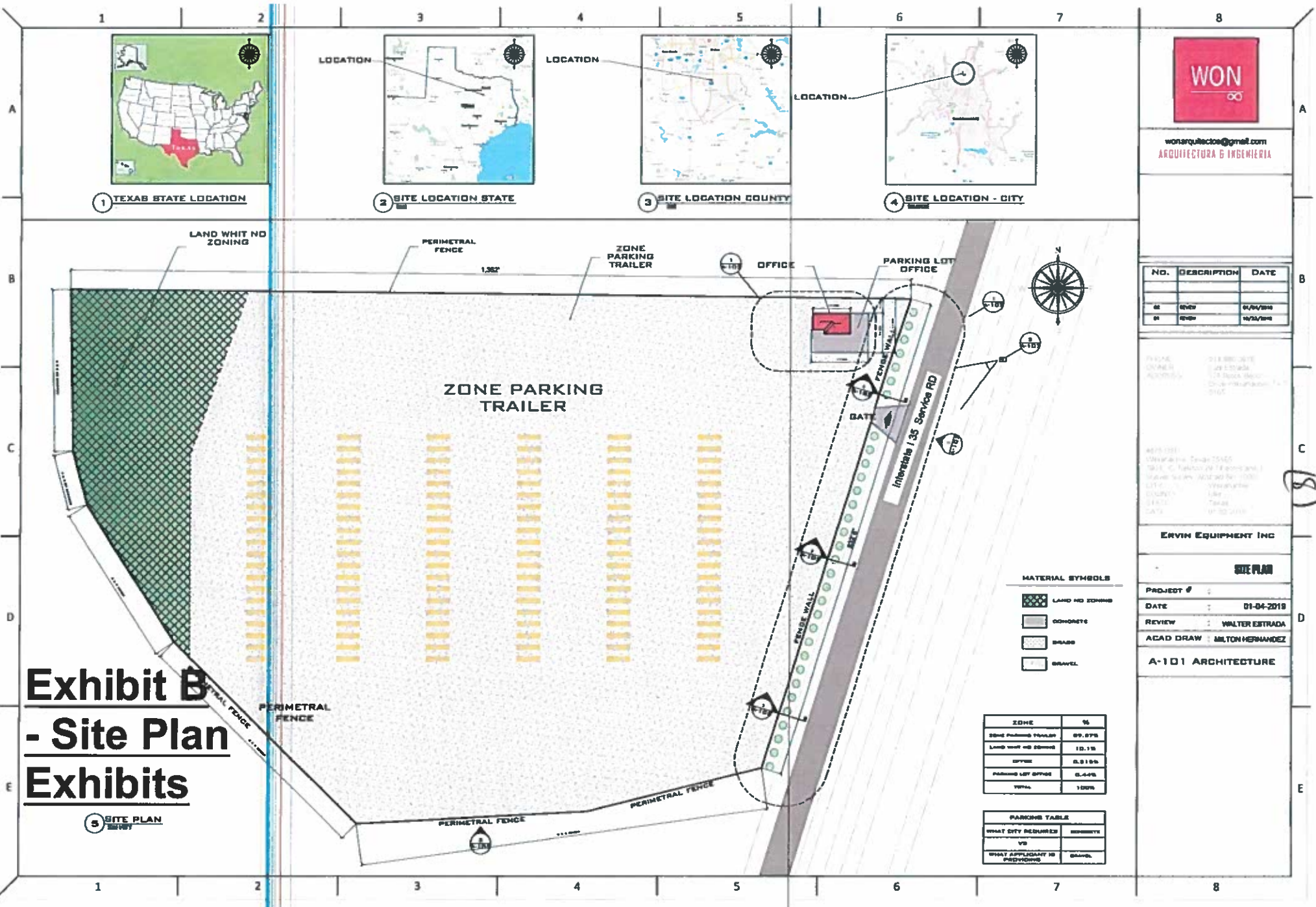


Exhibit B - Site Plan Exhibits



wonarquitectura@gmail.com
ARQUITECTURA E INGENIERIA

NO.	DESCRIPTION	DATE
01	CONCEPT	01/04/2019
02	CONCEPT	10/24/2019

PHONE: 011 888 2678
CELL: 011 55 2245
ADDRESS: 178 E. 11th St., Suite 100, Austin, TX 78701

WON 1001
WON 1001, Suite 1001
WON 1001, Suite 1001
WON 1001, Suite 1001
WON 1001, Suite 1001
WON 1001, Suite 1001
WON 1001, Suite 1001
WON 1001, Suite 1001

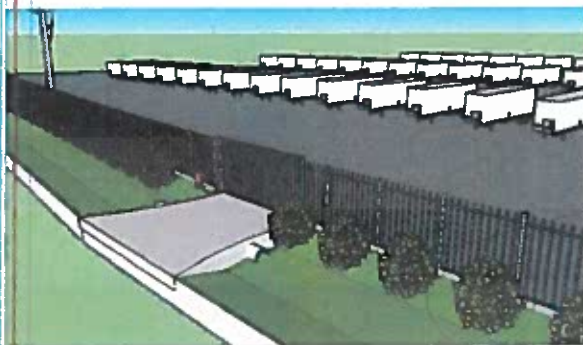
ERVIN EQUIPMENT INC

SITE PLAN

PROJECT # :
DATE : 01-04-2019
REVIEW : WALTER ESTRADA
ACAD DRAW : MILTON HERNANDEZ
A-101 ARCHITECTURE

1 ROOF PLAN OFFICE
SUITE

2 PERSPECTIVE



SHRUB

SHRUB

3 SHRUB DISTANCE
SET

PERIMETRAL
FENCE

OFFICE

PARKING LOT
OFFICE



MATERIAL SYMBOLS

	LAND NO ZONING
	CONCRETE
	GRASS
	GRAVEL
	SHINGLE

ZONE	%
ZONE PARKING TRAILER	00.0%
Land body no shrubs	10.0%
OFFICE	0.00%
PARKING LOT OFFICE	0.00%
TOTAL	100%

PARKING TABLE	
WHAT CITY REQUIRES	CONCRETE
VS	
WHAT APPLICANT IS PROVIDING	GRASS



wonarquitectos@gmail.com
ARQUITECTURA & INGENIERIA

NO.	DESCRIPTION	DATE
00	REVIS	01/04/2019
01	REVIS	10/01/2019

1100 00
1000 00
1000 00

1100 00
1000 00
1000 00

ERVIN EQUIPMENT INC

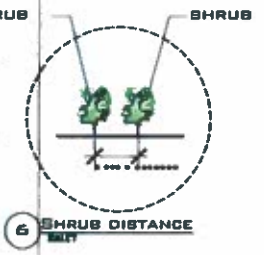
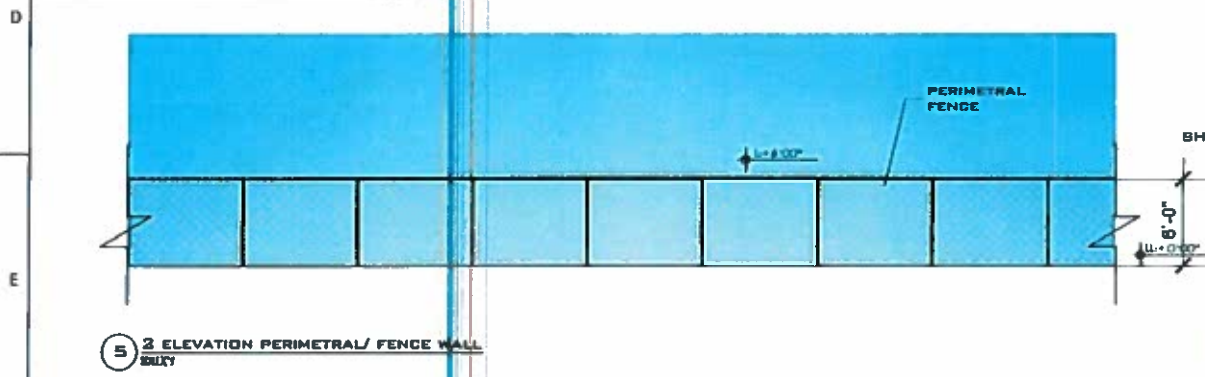
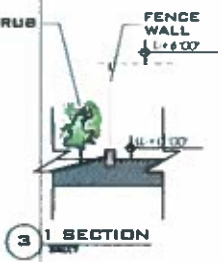
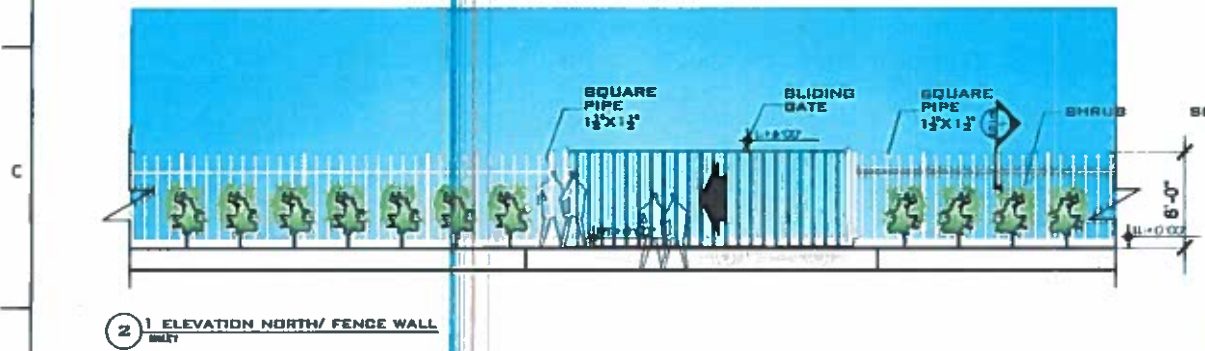
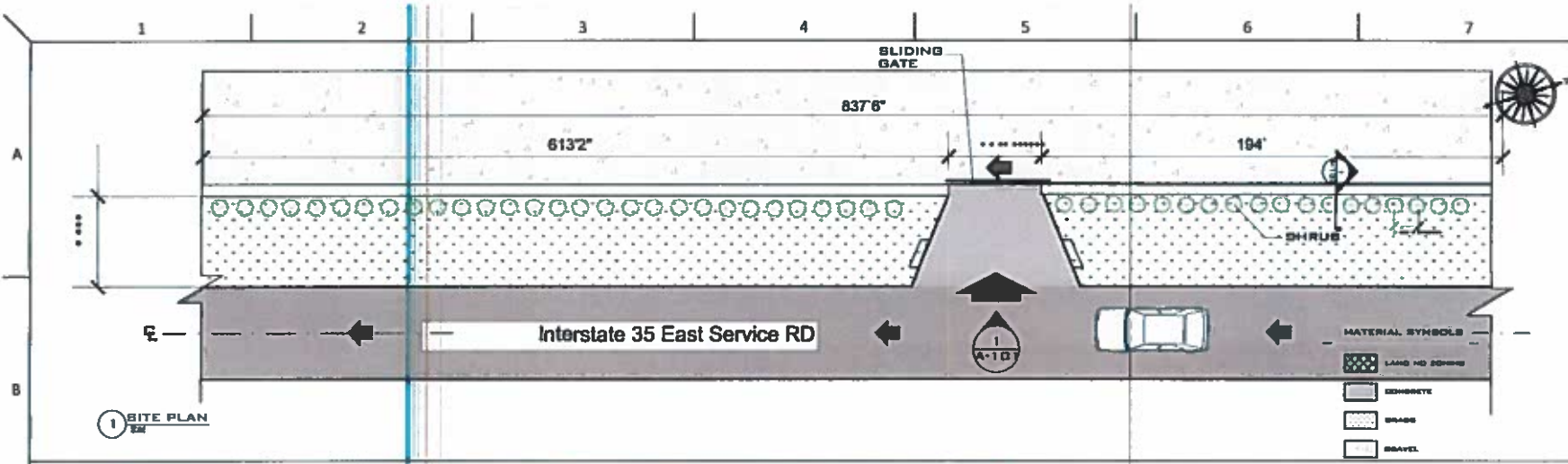
PROJECT # : 000-000-000

DATE : 01-02-2019

REVIEW : WALTER ESTRADA

ACAD DRAW : MILTON HERNANDEZ

A-103 ARCHITECTURE



LANDSCAPE TABLE	
WHAT CITY REQUIRES	LOT MAINTENANCE
VS	
WHAT APPLICANT IS PROVIDING	PROPOSED BY
	600 LANDSCAPING

LANDSCAPE TABLE	
WHAT CITY REQUIRES	SHRUB
VS	
WHAT APPLICANT IS PROVIDING	PROPOSED BY
	600 LANDSCAPING

LANDSCAPE TABLE	
WHAT CITY REQUIRES	PERIMETRAL FENCE
VS	
WHAT APPLICANT IS PROVIDING	PROPOSED BY
	600 LANDSCAPING



wonarquitectos@gmail.com
ARQUITECTURA E INGENIERIA

NO.	DESCRIPTION	DATE
01	DESIGN	01/04/2019
02	REVISION	10/11/2019

PROYECTO: 01-02-2019
DISEÑO: 01-02-2019
REVISIÓN: 10-11-2019
PROYECTO: 01-02-2019
DISEÑO: 01-02-2019
REVISIÓN: 10-11-2019

ERVIN EQUIPMENT INC

PROJECT # : 000-000-000

DATE : 01-02-2019

REVIEW : WALTER ESTRADA

ACAD DRAW : MILTON HERNANDEZ

A-102 ARCHITECTURE

(9)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A TRAILER, TRUCK SALES OR RENTAL USE WITHIN A LIGHT INDUSTRIAL-2 AND FUTURE DEVELOPMENT (LI-2 AND FD) ZONING DISTRICT, LOCATED AT 4675 N INTERSTATE 35, BEING PROPERTY ID 188460, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 790 EC NEWTON, 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, the described property is classified in said ordinance and any amendments thereto as LI-2 and FD; 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 SU-18-0180. 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 LI-2 and FD to LI-2 and FD, with an SUP in order to permit a Trailer, Truck Sales or Rental use on the following property: 790 EC Newton, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR TRAILER, TRUCK SALES, AND RENTAL USE IN THE LIGHT INDUSTRIAL-2 (LI-2) AND FUTURE DEVELOPMENT (FD) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number SU-18-0180.
2. The development shall adhere to the City Council approved Exhibit A – Location Exhibit

(9)

and Exhibit B – Site Layout Plan.

Standards and Conditions

1. All trailers and trucks for the property shall be parked on concrete.
2. All trailers and trucks shall be removed from the floodplain.
3. All signage for the property shall be approved by the City of Waxahachie Building Inspections and Planning Department. If such signage has not been approved by either department, then the signage is considered illegal and shall be removed.
4. A landscaping materials, and Landscape Plan, shall be approved by city staff, and signed and sealed by a Landscape Architect. Mulch shall serve as a function of ensuring the plants survival, as well as covering any rocky areas that remain. This should be evaluated by the Landscape Architect and indicated on the Landscape Plan.

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 1st day of April, 2019.

MAYOR

ATTEST:

City Secretary



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: March 13, 2019
Re: PD-18-0210 – Lonesome Dove

On March 12, 2019, the applicant asked staff to withdraw case no. PD-18-0210 from the March 26, 2019 Planning and Zoning Commission agenda, as well as the April 1, 2019 City Council meeting agenda.

(12)



Memorandum

To: Planning and Zoning Commission

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: March 22, 2019

Re: PV-19-0014 RVG Plaza

A request has been made to vacate a Replat of Lots 4R-A and 4R-B, Block B, RVG Plaza as filed October 15, 2013 via Instrument 1324559. The existing Final Plat of RVG Plaza as filed January 16, 2007 via Instrument 0701571 will remain in effect.

(13)

Planning & Zoning Department Plat Staff Report

Case: RP-19-0017



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Consider request by Kendall Wiley for a Replat of Lot 1R-A, Block A, Wiley's Retail to create Lots 1R-A and 1R-B, Block A, Wiley's Retail, 0.996 acres (Property ID 231665) – Owner: KENDALL L & MICHELLE L WILEY (RP-19-0017)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 7-0 to recommend approval of case no. RP-19-0017, pending that staff comments are met by the applicant.

CASE INFORMATION

Applicant: Kendall Wiley

Property Owner(s): Kendall L and Michelle L Wiley

Site Acreage: 0.996 acres

Number of Lots: 2 lots

Number of Dwelling Units: 1 Retail Unit

Park Land Dedication: Cash in lieu of park land dedication for the property is set at \$600.00. This fee must be paid before the plat is filed.

Adequate Public Facilities: Adequate Public Facilities are available for the subject site.

SUBJECT PROPERTY

General Location: 2251 Brown Street

Parcel ID Number(s): 231665

Current Zoning: General Retail with SUP for Convenience Store (Ordinance 2697)

Existing Use: Retail Use

Platting History: The Final Plat for Wiley's Retail was approved by City Council on November 21, 2016.

(17)

Site Aerial:



STAFF CONCERNS

At the time of this report, 3/18/2019, staff has yet to receive any revisions from the applicant. Before final approval is made, the applicant must address all outstanding comments made by staff.

APPLICANT RESPONSE TO CONCERNS

At the time of this report, 3/18/2019, the applicant has yet to submit any revisions to staff. *The applicant must address all staff comments before the plat is approved.*

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:

1. Right of Way dedication is required along Brown Street. The thoroughfare plan indicates this roadway as a 110 foot roadway.
2. Correct the zoning to GR. General Retail
3. Indicate if the parking in the parking easement is open to all three lots. A site plan will be required to determine if the parking is sufficient on the site.
4. Change dates to indicate 2019.
5. Label the Plan Southwestern most line segment.
6. Provide a property closure document to ensure the legal description and graphical plat match.
7. Indicate the proposed water and sewer services for Lot 1R-A1. A 6-inch sanitary sewer minimum and a connection to an existing or proposed manhole.
8. Indicate the existing drainage easement on the plan west side of Lot 1R-B.

ATTACHED EXHIBITS

1. Replat

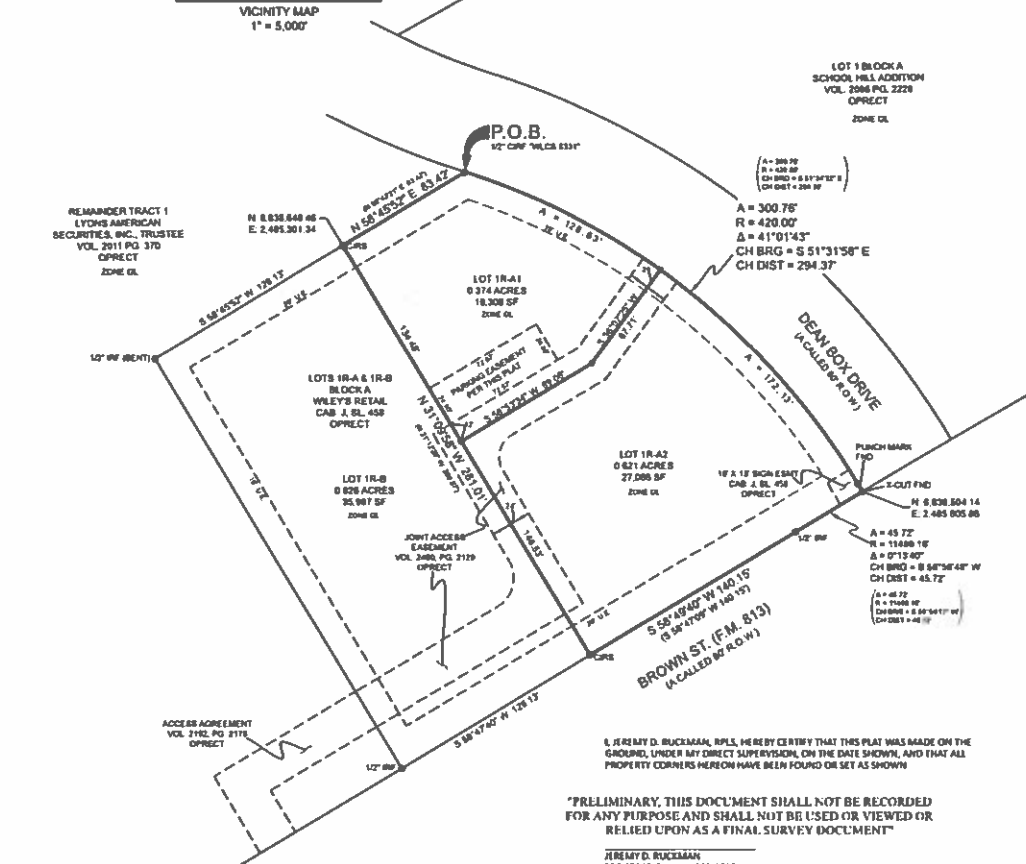
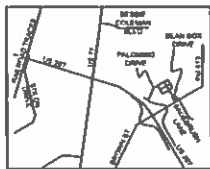
APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
City Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



"PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

JEREMY D. BUCKMAN
REGISTRATION NUMBER 6707

DATE: 12/5/2018

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED KENDALL WILEY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS

WHEREAS KENDALL WILEY AND WIFE, MICHELLE WILEY, ARE THE SOLE OWNERS OF A TRACT OF LAND SITUATED IN THE R. RUSSELL SURVEY, ABSTRACT NO. 811, IN THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING ALL OF LOT 1R-A, BLOCK A, OF LOTS 1R-A & 1R-B BLOCK A, WILEY'S RETAIL, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET J, SLIDE 458 AND BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "WILCS 5331" FOUND FOR THE NORTH MOST CORNER OF SAID LOT 1R-A, SAME BEING THE EAST MOST CORNER OF THE REMAINDER OF TRACT 1 AS DESCRIBED IN DEED TO LYONS AMERICAN SECURITIES, INC., TRUSTEE, RECORDED IN VOLUME 2011, PAGE 370, OPRECT, AND FURTHER BEING IN THE WESTERLY RIGHT-OF-WAY (ROW) LINE OF DEAN BOX DRIVE (A-CALLED 6-1-1) CALLED 60 FOOT ROW - VOLUME 2182, PAGE 1258, OPRECT; ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS THAT BEARS S 17°57'10" W A DISTANCE OF 420.88 FEET

TO A 3/4" IRON ROD WITH CAP STAMPED "TXRCS" SET.

THENCE ALONG THE COMMON NORTHEASTLY LINE OF SAID LOT 1R-A AND THE COMMON WESTERLY ROW LINE OF DEAN BOX DRIVE, AND WITH SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 41°18'43" AN ARC LENGTH OF 300.78 FEET, A CHORD THAT BEARS S 81°13'18" E, AND A CHORD LENGTH OF 294.37 FEET TO A PUNCH MARK FOUND ON A CONCRETE SEWER MANHOLE.

THENCE S 31°07'39" E, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 5.22 FEET TO AN "X-CUT" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1R-A, SAME BEING IN THE NORTHERLY ROW LINE OF BROWN STREET (F.M. 813) (A-CALLED 60 FOOT ROW) ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS THAT BEAR S 30°56'22" E, A DISTANCE OF 11.488 FEET.

THENCE ALONG THE SOUTHEASTLY LINE OF SAID LOT 1R-A AND THE COMMON NORTHERLY LINE OF SAID BROWN STREET, AND WITH SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 0°13'40" AN ARC LENGTH OF 45.72 FEET, A CHORD THAT BEARS S 58°56'48" W, AND A CHORD LENGTH OF 45.72 FEET TO A 1/2" IRON ROD FOUND.

THENCE S 58°49'40" W, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 140.15 FEET TO A 3/4" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE SOUTHWEST CORNER OF SAID LOT 1R-A AND THE COMMON SOUTHEAST CORNER OF SAID LOT 1R-B, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 1R-B BEARS S 58°49'40" W 120.13 FEET.

THENCE N 51°09'56" W, ALONG THE WESTERLY LINE OF SAID LOT 1R-A AND THE COMMON EASTERLY LINE OF SAID LOT 1R-B, A DISTANCE OF 281.81 FEET TO A 3/4" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE NORTHWEST CORNER OF SAID LOT 1R-A AND THE COMMON NORTHEAST CORNER OF SAID LOT 1R-B, SAME BEING IN A SOUTHEASTLY LINE OF SAID REMAINDER TRACT 1 FROM WHICH A 1/2" IRON ROD FOUND (BEING) FOR THE WEST MOST CORNER OF SAID LOT 1R-B BEARS S 58°45'52" E 120.13 FEET.

THENCE N 58°45'52" E, ALONG THE NORTHEASTLY LINE OF SAID LOT 1R-A AND THE COMMON SOUTHEASTLY LINE OF SAID REMAINDER TRACT 1, A DISTANCE OF 83.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.986 ACRE OF LAND, MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT KENDALL WILEY AND MICHELLE WILEY, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 1R-A & 1R-B, BLOCK A, WILEY'S RETAIL, AN ADDITION TO THE CITY OF WAXAHACHE AND DO HEREBY DEDICATE, IN FEE SIMPLE THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE INITIAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF OBTAINING PERMISSION FROM ANYONE.

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MICHELLE WILEY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2018.

BY

KENDALL WILEY MICHELLE WILEY

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ROBERT LYLE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY CHAIRPERSON DATE

APPROVED BY CITY COUNCIL
CITY OF WAXAHACHE

BY MAYOR DATE

ATTEST DATE

FINAL PLAT LOTS 1R-A & 1R-B BLOCK A WILEY'S RETAIL

OWNER
KENDALL & MICHELLE WILEY
501 SANTA FE TRAIL
WAXAHACHE, TX 76798
972.936.8658

SURVEYOR:
TEXAS REALTY CAPTURE &
SURVEYING LLC
P.O. BOX 252
WAXAHACHE, TEXAS 76798
409.515.0338
TBPLS FROM NO 10194359

BEING A 0.986 ACRE REPLAT OF LOT 1R-A, BLOCK A, OF WILEY'S RETAIL, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS RECORDED IN CABINET J, SLIDE 458 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS

JOB NO 1147

DECEMBER 2018

Planning & Zoning Department

Plat Staff Report

Case: FP-19-0018



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Consider request by Jay Volk, J. Volk Consulting, Inc., for a Final Plat of WISD Ag Center for 1 lot, being 10.647 acres situated in the J. Boyd Survey, Abstract 108 and W.C. Tunnell Survey, Abstract 1080 (Property ID 180503) – Owner: WAXAHACHIE ISD (FP-19-0018)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 7-0 to recommend approval of case no. FP-19-0018, as presented by staff.

CASE INFORMATION

Applicant: Jay Volk, J. Volk Consulting, Inc.

Property Owner(s): Waxahachie ISD

Site Acreage: 10.647 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: Waived

Adequate Public Facilities: Adequate public facilities will be present at the subject site.

SUBJECT PROPERTY

General Location: 3001 Highway 287

Parcel ID Number(s): 274653

Current Zoning: Single Family-1

Existing Use: Vacant School Property

Platting History: PP-18-0113 approved by City Council on 8/6/2018

Site Aerial:



STAFF CONCERNS

1. Staff has no outstanding concerns.

APPLICANT RESPONSE TO CONCERNS

On 3/5/2019 the applicant submitted revisions to staff. At the time of this report, 3/18/19, there are no outstanding concerns from staff.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(16)

Planning & Zoning Department

Plat Staff Report

Case: FP-19-0019



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Consider request by James R. Henry, for a **Final Plat** of Crooked Creek Farms for 3 lots, being 95.973 acres situated in the S.M. Durrett Survey, Abstract 272 (Property ID 257995 and 182121) – Owner: JAMES R HENRY and LINDA S OSBORN (FP-19-0019)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 7-0 to recommend approval of case no. FP-19-0019, as presented by staff.

CASE INFORMATION

Applicant: James R. Henry

Property Owner(s): James R. Henry and Linda S. Osborn

Site Acreage: 95.973 acres

Number of Lots: 3 lots

Number of Dwelling Units: 3 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$800.00** (2 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities: The subject property will have adequate public facilities.

SUBJECT PROPERTY

General Location: 2801 Howard Road

Parcel ID Number(s): 257995 and 182121

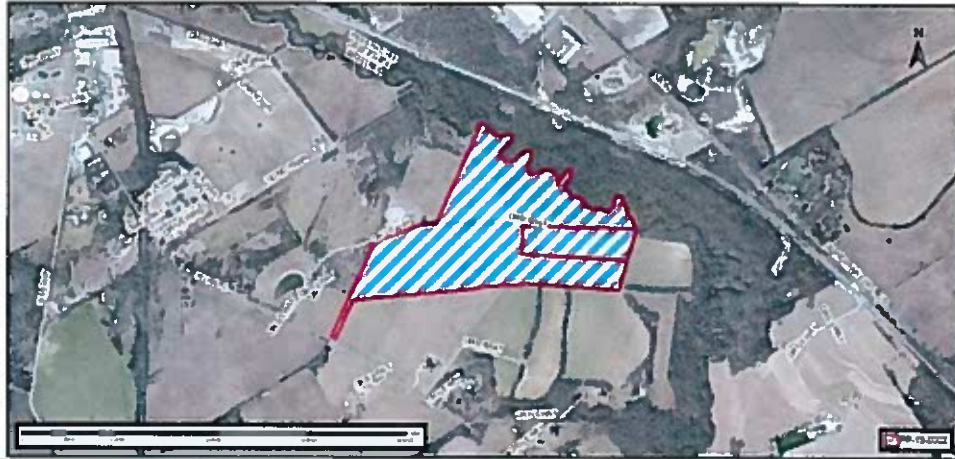
Current Zoning: Future Development

Existing Use: Single family residence

Platting History: S.M. Durrett Survey, Abstract No. 272

116)

Site Aerial:



STAFF CONCERNS

Staff has no outstanding concerns.

APPLICANT RESPONSE TO CONCERNS

1. The applicant submitted revisions to staff on 3/15/2019. The applicant has no outstanding concerns.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:

ATTACHED EXHIBITS

1. Plat Drawing

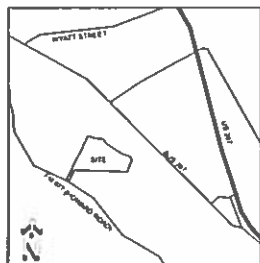
APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
City Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



AGE	INCOME
1	55.00
2	59.12
3	64.79
4	74.77
5	73.23
6	72.40
7	74.79
8	85.48
9	88.71
10	81.19
11	85.48
12	85.48
13	74.79
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95	85.48
96	85.48
97	85.48
98	85.48
99	85.48
100	85.48

CBS = MICRON ROD WITH YELLOW PLASTIC CAP

IRF = IRON ROD FOUNDING

PUE = PRIVATE UTILITY EASEMENT

R = 268.76'
 $\Delta = 44^{\circ}36'39''$
 L = 209.26'
 CH BRG = N 46°38'00" E
 CH DIST = 204.01'

HOLLYWOOD D. KING, JR.
A CORINDEA R. KING
VOL. 1883, PG. 1087
OPRECT
ZONED "FD"

R = 542.23'
Δ = 21°53'04"
L = 207 11'
CH BRG = N 79°52'52" E
CH DIST = 205.85'

R = 218.76'
Δ = 44°38'41"
L = 170.33'
CH BRG = S 46°39'47" W
CH DIST = 168.06'

R = 492.23'
Δ = 21°53'04"
L = 188.01'
CH BRC = S 79°54'40" W
CH DIST = 186.87'

LOT 1
53.001 ACRES
ZONED "PD-FD"

NOTE

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, PER GPS OBSERVATIONS

AS SHOWN HEREON, A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "A", DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AND A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A COASTAL FLOOD HAZARD AREA SUBJECT TO FLOODING FROM THE 1% ANNUAL CHANCE FLOOD - ZONE "A" - DEFINED AS "NO BASE FLOOD ELEVATIONS DETERMINED" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48193C036F DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVICED BY AN ON SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ONSITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.

ALL PROPERTY CORNERS ARE MONUMENTED WITH 5/8" IRON RODS WITH CAP STAMPED "JARC" UNLESS OTHERWISE NOTED

OWNER:
JAMES R. HENRY AND
LINDA SUE HENRY
2801 HOWARD ROAD
WAXAHACHIE, TX 75165
214 236 1066

**SURVEYOR
TEXAS REALTY CAPTURE &
SURVEYING, LLC
PO BOX 252
WAXAHACHE, TEXAS 75169
469 518 0336
TRIP'S FIRM NO 10194358**

FINAL PLAT
CROOKED CREEK
FARMS

95.973 ACRES

SITUATED IN THE
S. M. DURRETT SURVEY,
ABSTRACT NO. 272
CITY OF WAXAHACHIE,
ELLIS COUNTY, TEXAS
3 RESIDENTIAL LOTS
ZONED PD-FD

1000000

FEBRUARY 2019 PAGE 1 OF 2



STATE OF TEXAS
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS

THAT JAMES R. HENRY AND LINDA SUE HENRY ARE THE SOLE OWNERS OF A TRACT OF LAND SITUATED IN THE S. DURRETT SURVEY ABSTRACT NO. 372, IN THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND BEING ALL OF THOSE TRACTS OF LAND DESCRIBED IN DEED TO JAMES R. JOSEPHSON HENRY RECORDED IN VOLUME 2408, PAGE 281, VOLUME 2408, PAGE 276, VOLUME 2429, PAGE 481 AND VOLUME 2098, PAGE 1541 OF THE OFFICIAL PLAT RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND (R/F) FOR THE SOUTHWEST CORNER OF SAID HENRY TRACT AND THE COMMON SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO NORWOOD D. KING, JR. AND CORINDA R. KING, RECORDED IN VOLUME 1198, PAGE 730, OPRECT, HEREINAFTER REFERRED TO AS KING TRACT 1; AND IN THE NORTH RIGHT-OF-WAY (ROW) LINE OF FM HWY NO. 877 CALLED 87 ROW;

THENCE N 34°12'47" E, ALONG A WEST LINE OF SAID HENRY TRACT AND A COMMON EAST LINE OF SAID KING TRACT 1 A DISTANCE OF 484.77 FEET TO A 1/2" IRF FOR CORNER;

THENCE N 24°2'43" E, ALONG A WEST LINE OF SAID HENRY TRACT AND A COMMON EAST LINE OF SAID KING TRACT 1 A DISTANCE OF 700.83 FEET TO A 1/2" IRF FOR THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO NORWOOD D. KING, JR. AND CORINDA R. KING, RECORDED IN VOLUME 1583, PAGE 1067, OPRECT, HEREINAFTER REFERRED TO AS KING TRACT 2;

THENCE, ALONG THE WEST LINES OF SAID HENRY TRACT AND THE COMMON SOUTH LINES OF SAID KING TRACT 2, AS FOLLOWS:

S 05°49'22" E, A DISTANCE OF 1.00 FEET TO A 1/2" IRF FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 254.76 FEET, A CHORD BEARING N 48°38'08" E, A CHORD LENGTH OF 254.01 FEET;

ALONG SAID CURVE TO THE RIGHT AN ARC LENGTH OF 209.26 FEET TO A 1/2" IRF FOR CORNER;

N 68°56'18" E, A DISTANCE OF 427.53 FEET TO A 1/2" IRF FOR THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 542.23 FEET, A CHORD BEARING N 79°52'32" E, A CHORD LENGTH OF 205.95 FEET;

ALONG SAID CURVE TO THE RIGHT AN ARC LENGTH OF 207.11 FEET TO A 1/2" IRF FOR CORNER;

S 09°12'05" E, A DISTANCE OF 53.65 FEET TO A 1/2" IRF FOR AN ANGLE POINT IN THE WEST LINE OF SAID HENRY TRACT AND THE COMMON SOUTHEAST CORNER OF SAID KING TRACT 2;

THENCE N 24°21'58" E, ALONG THE WEST LINE OF SAID HENRY TRACT AND THE COMMON EAST LINE OF SAID KING TRACT 2, PASSING AT A DISTANCE OF 1289.86 FEET A 1/2" IRF FOR WITNESS, A TOTAL DISTANCE OF 1352.84 FEET TO A POINT FOR CORNER IN THE APPROXIMATE CENTERLINE OF A CREEK;

THENCE ALONG THE NORTH LINE OF SAID HENRY TRACT AND THE APPROXIMATE CENTERLINE OF SAID CREEK, AS FOLLOWS:

N 67°37'45" E, A DISTANCE OF 49.59 FEET TO A POINT FOR CORNER;
S 64°47'17" E, A DISTANCE OF 109.11 FEET TO A POINT FOR CORNER;
S 37°23'48" E, A DISTANCE OF 73.77 FEET TO A POINT FOR CORNER;
S 37°49'30" E, A DISTANCE OF 28.29 FEET TO A POINT FOR CORNER;
S 08°31'37" E, A DISTANCE OF 85.23 FEET TO A POINT FOR CORNER;
N 04°48'10" E, A DISTANCE OF 72.87 FEET TO A POINT FOR CORNER;
N 08°17'08" E, A DISTANCE OF 50.87 FEET TO A POINT FOR CORNER;
S 61°19'18" E, A DISTANCE OF 35.80 FEET TO A POINT FOR CORNER;
S 05°19'18" E, A DISTANCE OF 41.85 FEET TO A POINT FOR CORNER;
S 43°22'37" W, A DISTANCE OF 209.95 FEET TO A POINT FOR CORNER;
S 29°24'58" E, A DISTANCE OF 143.70 FEET TO A POINT FOR CORNER;
N 01°13'11" E, A DISTANCE OF 66.82 FEET TO A POINT FOR CORNER;
N 06°15'32" E, A DISTANCE OF 56.18 FEET TO A POINT FOR CORNER;
N 46°08'12" E, A DISTANCE OF 188.65 FEET TO A POINT FOR CORNER;
N 04°58'25" E, A DISTANCE OF 118.71 FEET TO A POINT FOR CORNER;
S 13°25'55" E, A DISTANCE OF 73.64 FEET TO A POINT FOR CORNER;
S 16°22'15" W, A DISTANCE OF 104.25 FEET TO A POINT FOR CORNER;
S 01°31'32" E, A DISTANCE OF 134.18 FEET TO A POINT FOR CORNER;
N 02°17'22" E, A DISTANCE OF 84.33 FEET TO A POINT FOR CORNER;
N 06°48'11" E, A DISTANCE OF 144.88 FEET TO A POINT FOR CORNER;
S 08°25'07" E, A DISTANCE OF 156.18 FEET TO A POINT FOR CORNER;
S 02°22'31" W, A DISTANCE OF 133.34 FEET TO A POINT FOR CORNER;
N 35°48'36" E, A DISTANCE OF 251.88 FEET TO A POINT FOR CORNER;
S 02°27'22" E, A DISTANCE OF 34.20 FEET TO A POINT FOR CORNER;
S 18°08'37" W, A DISTANCE OF 125.87 FEET TO A POINT FOR CORNER;
S 31°34'18" W, A DISTANCE OF 108.98 FEET TO A POINT FOR CORNER;
S 43°24'54" E, A DISTANCE OF 113.84 FEET TO A POINT FOR CORNER;
S 08°54'24" E, A DISTANCE OF 149.83 FEET TO A POINT FOR CORNER;
S 48°38'02" E, A DISTANCE OF 144.13 FEET TO A POINT FOR CORNER;
S 04°43'17" E, A DISTANCE OF 87.11 FEET TO A POINT FOR CORNER;
S 60°23'45" E, A DISTANCE OF 188.68 FEET TO A POINT FOR CORNER;
N 01°34'55" E, A DISTANCE OF 88.87 FEET TO A POINT FOR CORNER;
N 19°42'18" E, A DISTANCE OF 154.57 FEET TO A POINT FOR CORNER;
N 73°17'29" E, A DISTANCE OF 81.82 FEET TO A POINT FOR CORNER;
S 28°52'11" E, A DISTANCE OF 124.37 FEET TO A POINT FOR CORNER;
S 13°37'03" E, A DISTANCE OF 186.36 FEET TO A POINT FOR CORNER;
S 47°57'33" E, A DISTANCE OF 65.33 FEET TO A POINT FOR CORNER;
S 21°52'16" E, A DISTANCE OF 70.29 FEET TO A POINT FOR CORNER;
S 14°43'54" E, A DISTANCE OF 49.43 FEET TO A POINT FOR CORNER;
S 42°52'29" E, A DISTANCE OF 57.50 FEET TO A POINT FOR THE NORTHEAST CORNER OF SAID HENRY TRACT AND THE COMMON NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO STEPHEN OTIS MCADY, RECORDED IN VOLUME 1332, PAGE 846, OPRECT;

THENCE S 18°37'24" W, ALONG THE EAST LINE OF SAID HENRY TRACT AND THE COMMON WEST LINE OF SAID MCADY TRACT, PASSING AT A DISTANCE OF 48.93 FEET A 3/4" IRON ROD WITH CAP STAMPED "TAXES" SET FOR WITNESS, A TOTAL DISTANCE OF 808.83 FEET TO A 1" IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID HENRY TRACT, A COMMON ANGLE POINT IN THE WEST LINE OF SAID MCADY TRACT AND THE COMMON NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO RANDALL S. SPEED, RECORDED IN INSTRUMENT NO. 1887950, OPRECT;

THENCE N 86°58'48" W, ALONG THE SOUTH LINE OF SAID HENRY TRACT AND THE COMMON NORTH LINE OF SAID SPEED TRACT, A DISTANCE OF 1247.83 FEET TO A 1/2" IRF FOR A COMMON ANGLE POINT IN THE SOUTH LINE OF SAID HENRY TRACT AND AN ANGLE POINT IN THE NORTH LINE OF SAID SPEED TRACT;

THENCE S 84°28'38" W, ALONG THE SOUTH LINE OF SAID HENRY TRACT AND THE COMMON NORTH LINE OF SAID SPEED TRACT, PASSING AT A DISTANCE OF 145.72 FEET A 1/2" IRF FOR THE NORTHWEST CORNER OF SAID SPEED TRACT AND THE COMMON NORTHWEST CORNER OF SAID HENRY TRACT, AN ADDITION TO THE CITY OF WAXAHACHE, ACCORDING TO THE PLAT THEREOF RECORDED IN CANNIFF F. SLIDE 75, OPRECT, CONTINUING ALONG THE SOUTH LINE OF SAID HENRY TRACT AND THE COMMON NORTH LINE OF SAID PENN FARMS RANCHETTES ADDITION, A TOTAL DISTANCE OF 2078.99 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "13UC3" SET FOR AN ANGLE POINT IN THE SOUTH LINE OF SAID HENRY TRACT AND THE COMMON NORTHWEST CORNER OF SAID PENN FARMS RANCHETTES ADDITION;

THENCE S 24°12'12" W, ALONG AN EAST LINE OF SAID HENRY TRACT AND THE COMMON WEST LINE OF SAID PENN FARMS RANCHETTES ADDITION, A DISTANCE OF 517.81 FEET TO A 1/2" IRF FOR THE SOUTHWEST CORNER OF SAID HENRY TRACT AND THE COMMON SOUTHWEST CORNER OF SAID PENN FARMS RANCHETTES ADDITION, AND IN THE NORTH ROW LINE OF SAID FM HWY NO. 877;

THENCE N 67°25'47" W, ALONG THE SOUTH LINE OF SAID HENRY TRACT AND THE COMMON NORTH ROW LINE OF SAID FM HWY NO. 877, A DISTANCE OF 59.38 FEET TO THE POINT OF BEGINNING, CONTAINING 95.973 ACRES OF LAND, MORE OR LESS.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT JAMES R. HENRY AND LINDA SUE HENRY DO HEREBY DESIGNATE THE HEREIN ABOVE DESCRIBED PROPERTY AS CROOKED CREEK FARMS, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DO'S HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METER, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS.

WITNESS MY HAND THIS _____ DAY OF _____, 2019.

JAMES R. HENRY

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JAMES R. HENRY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS.

WITNESS, MY HAND, THIS _____ DAY OF _____, 2019.

LINDA SUE HENRY

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED LINDA SUE HENRY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED FOR VIEWED OR RELEIED UPON AS A FINAL SURVEY DOCUMENT."

TIMOTHY L. JACKSON
REGISTRATION NUMBER 5444

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY _____ DATE _____
CHAIRPERSON

APPROVED BY CITY COUNCIL
CITY OF WAXAHACHE

BY _____ DATE _____
MAYOR

ATTEST _____ DATE _____

FINAL PLAT

**CROOKED CREEK
FARMS**

95.973 ACRES

BEING IN THE

OWNER
JAMES R. HENRY AND
LINDA SUE HENRY
2801 HOWARD ROAD
WAXAHACHE, TX 75188
214-238-1066

SURVEYOR
TEXAS REALITY CAPTURE &
SURVEYING, LLC
P.O. BOX 252
WAXAHACHE, TEXAS 75184
409.518.0338
TRPLS / RPLM NO 10194359

S. M. DURRETT SURVEY,
ABSTRACT NO. 272
CITY OF WAXAHACHE,
ELLIS COUNTY, TEXAS
3 RESIDENTIAL LOTS

Planning & Zoning Department

Plat Staff Report

Case: RP-19-0024



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Consider request by John Harkins for a **Replat** of Tract 13, Nod Hill Estates and 1.124 acres out of the J. Barker Survey, Abstract 40 to create Lots 1 and 2, Block A, Harkins Addition, 2.180 acres (Property ID 152926 and 179593) in the Extra Territorial Jurisdiction – Owner: BOBBY D HARKINS and JOHN AND TRINA HARKINS (RP-19-0024)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 7-0 to recommend approval of case no. RP-19-0024, pending that Ellis County staff comments are met by the applicant before the plat is filed.

CASE INFORMATION

Applicant: John Harkins

Property Owner(s): Bobby D Harkins and John and Trina Harkins

Site Acreage: 2.180 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Sardis-Lone Elm Water Supply has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements.

SUBJECT PROPERTY

General Location: 654 Shannon

Parcel ID Number(s): 152926 and 179593

Current Zoning: N/A (ETJ)

(17)

Existing Use:
Platting History:

Existing Residential
Abstract TR 13 NOD HILL

Site Aerial:



STAFF CONCERNS

1. A property owner must be provided for land North of Shannon Court.
2. Indicate the ROW for Shannon Court. Depending on the ROW a dedication may be necessary.
3. Indicate if Shannon Ct has been platted before. A dedicated ROW and prescriptive ROW are present.
4. An access easement for ROW dedication may be necessary. Indicate ownership of prescriptive ROW on Andrea Rd.
5. Indicate public or private street frontage to lot 2.
6. Change Final plat in bottom right corner to Replat.
7. Indicate how lot will be serviced with water. A water letter from Sardis-Lone Elm WSC and according to that letter the lots will be serviced with 2" lines.
8. Change Preliminary plat on bottom right of page 2 to Replat.
9. Building lines can be reduced to 25 feet.
10. A variance for Lot 2 is required for lot frontage due to the lack of clarity of whether Andrea Road is public or private ; scheduled for 3/26/19

APPLICANT RESPONSE TO CONCERNS

1. As of 3/18/2019, the applicant has yet to submit any revisions to staff. The applicant must address all staff comments before receiving final approval.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:

1. There are outstanding comments that must to be addressed by the applicant.

(17)

2. There are outstanding Ellis County comments that still need to be addressed by the applicant.

ATTACHED EXHIBITS

1. Plat
2. Water Letter

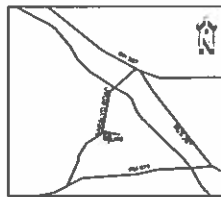
APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
City Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



VICINITY MAP 1" = 5000'

CRS = 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TRC3" SET
IRF = IRON ROD FOUND
DUE = DRAINAGE AND UTILITY EASEMENT
BL = BUILDING LINE

SHANNON COURT (VARIABLE WIDTH PRESCRIPTIVE ROW)

P.O.B.
S 81°33'32" E 177.02'

NANCY QUINONES
INST. NO. 1604320
OPRECT

LOT 1
1.056 ACRES

ANDREA ROAD
(VARIABLE WIDTH PRESCRIPTIVE ROW)

MICHAEL MANN &
ANDREA MANN
VOL. 1390, PG. 252
OPRECT

JEFF W. SPURLOCK &
APRIL SPURLOCK
VOL. 2795, PG. 513
OPRECT

LOT 2
1.124 ACRES

LINDA S. SCHUSTER
VOL. 2602, PG. 1144
OPRECT

LINDA S. SCHUSTER
VOL. 2602, PG. 1144
OPRECT

STATE OF TEXAS
COUNTY OF ELLIS

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS
COUNTY TEXAS

APPROVED THIS, _____ DAY OF _____, 2019.

ATTEST:

TODD LITTLE
COUNTY JUDGE

KRYSTAL VALDEZ
COUNTY CLERK

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT
FOR AN ON-SITE SEWAGE FACILITY SYSTEM PENDING ANY AND ALL
INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF
DEVELOPMENT.

ELLIS COUNTY DEPARTMENT
OF DEVELOPMENT DIRECTOR

DATED _____

PROPERTY DESCRIPTION
WHEREAS BOBBY DELL HARKINS, JOHN HARKINS AND TRINA HARKINS ARE THE SOLE OWNERS OF
A TRACT OF LAND SITUATED IN THE J. BARKER SURVEY ABSTRACT NO. 40, IN THE CITY OF
WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING ALL THAT TRACT OF LAND DESCRIBED IN DEED
TO BOBBY DELL HARKINS AND JUDY FEIN HARKINS, RECORDED IN VOLUME 561, PAGE 891, OF
THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND ALL OF THAT TRACT OF
LAND DESCRIBED IN DEED TO JOHN HARKINS AND TRINA HARKINS, RECORDED IN VOLUME 1962,
PAGE 1290, OPRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A 1" PIPE FOUND FOR THE NORTHWEST CORNER OF SAID HARKINS TRACT AND THE
EAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO NANCY QUINONES, RECORDED IN
INSTRUMENT NO. 1604320, OPRECT, IN THE SOUTH LINE OF SHANNON COURT (A VARIABLE WIDTH
PRESCRIPTIVE RIGHT-OF-WAY(ROW)).

THENCE S 81°33'32" E, ALONG THE NORTH LINE OF SAID HARKINS TRACT AND THE COMMON
SOUTH ROW LINE OF SAID SHANNON COURT, A DISTANCE OF 177.02 FEET TO A 5/8" IRON ROD
WITH CAP STAMPED "TRC3" SET FOR THE NORTHEAST CORNER OF SAID HARKINS TRACT AND THE
INTERSECTION OF THE SOUTH ROW LINE OF SAID SHANNON COURT AND THE WEST ROW
LINE OF SAID ANDREA ROAD (A VARIABLE WIDTH PRESCRIPTIVE ROW).

THENCE S 08°26'30" W, ALONG THE EAST LINE OF SAID HARKINS TRACT AND THE COMMON WEST
ROW LINE OF SAID ANDREA ROAD, PASSING AT A DISTANCE OF 204.88 FEET A 1/2" IRON ROD
FOUND FOR A NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO LINDA S.
SCHUSTER, RECORDED IN VOLUME 2602, PAGE 1144, OPRECT, CONTINUING ALONG THE EAST
LINE OF SAID HARKINS TRACT AND THE COMMON WEST LINE OF SAID SCHUSTER TRACT A TOTAL
DISTANCE OF 343.96 FEET TO A 3/4" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID
HARKINS TRACT AND AN INTERIOR ELL CORNER OF SAID SCHUSTER TRACT.

THENCE N 81°52'11" W, ALONG THE SOUTH LINE OF SAID HARKINS TRACT AND A COMMON NORTH
LINE OF SAID SCHUSTER TRACT, A DISTANCE OF 353.81 FEET TO AN AXEL FOUND FOR THE
SOUTHWEST CORNER OF SAID HARKINS TRACT AND A NORTHWEST CORNER OF SAID SCHUSTER
TRACT IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO JEFF W. SPURLOCK AND
APRIL SPURLOCK, RECORDED IN VOLUME 2795, PAGE 513, OPRECT.

THENCE N 21°17'38" E, ALONG THE WEST LINE OF SAID HARKINS TRACT AND THE COMMON EAST
LINE OF SAID SPURLOCK TRACT, A DISTANCE OF 73.23 FEET TO A 1/2" IRON ROD FOUND FOR AN
ANGLE POINT IN THE WEST LINE OF SAID HARKINS TRACT, THE COMMON NORTHEAST CORNER OF
SAID SPURLOCK TRACT AND THE COMMON SOUTHEAST CORNER OF SAID QUINONES TRACT.

THENCE N 38°45'27" E, ALONG THE WEST LINE OF SAID HARKINS TRACT AND THE COMMON EAST
LINE OF SAID QUINONES TRACT, A DISTANCE OF 217.87 FEET TO THE POINT OF BEGINNING AND
CONTAINING 2.180 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT BOBBY D. HARKINS, JOHN HARKINS AND TRINA HARKINS ACTING HEREIN BY AND
THROUGH ITS DUTY AUTHORIZED OFFICERS, DO HEREBY CERTIFY AND ADOPT THIS PLAT
DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS HARKINS ADDITION, AN
ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, AND DOES HEREBY DEDICATE
TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN HEREON. THAT BOBBY
D. HARKINS, JOHN HARKINS AND TRINA HARKINS DO HEREBY CERTIFY THE FOLLOWING:

1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS,
AND/OR ENCUMBRANCES.
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT,
ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON
THIS PLAT.
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS
SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS
SHOWN.
5. ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS OR, UNDER
OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
6. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND
ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME
UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC
UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND ELLIS COUNTY'S USE THEREOF.
7. ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND
KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER
IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE
WITH THE
CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS.
8. ELLIS COUNTY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF
INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE
OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, MAINTAINING, MAINTAINING,
REPAIRING AND/OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE
SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PRODUCING PERMISSION
FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS
COUNTY.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES,
REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS.

WITNESS, MY HAND, THIS _____ DAY OF _____, 2019.

JOHN HARKINS

JOHN HARKINS

JOHN HARKINS

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF
TEXAS, ON THIS DAY PERSONALLY APPEARED JOHN HARKINS, KNOWN TO ME TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND
ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN
EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF
TEXAS, ON THIS DAY PERSONALLY APPEARED TRINA HARKINS, KNOWN TO ME TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND
ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN
EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF
TEXAS, ON THIS DAY PERSONALLY APPEARED BOBBY D. HARKINS, KNOWN TO ME TO BE
THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND
ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN
EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

I, TRINITY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE
GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL
PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"PRELIMINARY. THIS DOCUMENT SHALL NOT BE
RECORDED UNTIL ANY PERMITS AND SHALL NOT
BE USED OR VIEWED OR RECORDED UNTIL A
FINAL SURVEY DOCUMENT"

TRINITY L. JACKSON
REGISTRATION NUMBER 5644

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____
CHAIRPERSON

DATE

APPROVED BY CITY COUNCIL
CITY OF WAXAHACHIE

BY: _____
MAYOR

DATE

ATTEST

DATE

FINAL PLAT - CITY OF WAXAHACHIE
SIMPLIFIED PLAT - COUNTY OF ELLIS

HARKINS ADDITION

2.180 ACRES

SITUATED IN THE
J. BARKER SURVEY,
ABSTRACT NO. 40
ETJ CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
2 RESIDENTIAL LOTS

OWNERS:
BOBBY D. HARKINS,
JOHN HARKINS AND TRINA
HARKINS
664 SHANNON CT
WAXAHACHIE, TX 76085
972.415.8753

SURVEYOR
TEXAS REALITY CAPTURE &
SURVEYING, L.L.C.
P.O. BOX 252
WAXAHACHIE, TEXAS 76080
800.818.0330
TBLPS.FRM NO.10194-359

JOB NO. 1281

FEBRUARY 2019 PAGE 1 OF 1



PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: John Harkins Parcel ID #: 52926, 19593
Subdivision Name: Harkins Addition

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

Buena Vista-Bethel SUD (972) 937-1212
Carroll Water Company (972) 617-0817
Mountain Peak SUD (972) 775-3765
Rockett SUD (972) 617-3524
Sardis-Lone Elm WSC (972) 775-8566
Nash Foreston WSC (972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The water line size servicing the lots is <u>2</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Paul Hischer
Print Name of General Manager of water provider or Designee

Sardis Lone Elm
Name of water provider company

[Signature]
Signature of General Manager of water provider or Designee

2-14-19
Date

(19)

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0025



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Public Hearing on a request by Massey Shaw, for a **Planned Development Amendment** for the development of a live screening wall along the Single-Family and Multi-Family lots in lieu of the required brick or masonry screening wall located on the South side of Farley Street at River Oaks (Property ID 182267) – Owner: BLUE BONNET TRAILS LLC (PD-19-0025)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 7-0 to recommend approval of case no. PD-19-0025, to allow a living landscape wall with ornamental wrought iron fencing opposed to a masonry screening wall between single family and multi-family portions of Blue Bonnet Trails Phase I.

CASE INFORMATION

Applicant: Massey Shaw

Property Owner(s): Blue Bonnet Trails LLC

Site Acreage: 27.73 acres

Current Zoning: Planned Development-Single Family-3 (Ordinance 2619)

Requested Zoning: Planned Development Amendment

SUBJECT PROPERTY

General Location: South side of Farley Street at River Oaks

Parcel ID Number(s): 182267

Existing Use: Residential

Development History: B Davis Survey, Abstract No. 290

Case No.	Direction from Site	Request	Result
ZA2011-19	North	PD-SF-3 and MF-1	Approved

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residential
East	GR	Undeveloped Land
South	SF-2	Single Family Residential
West	PD-SF-3	Undeveloped Land

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan:

This site is accessible via Farley St.

Site Image:**PLANNING ANALYSIS**

The applicant is requesting to amend an existing approved Ordinance No. 2619. On August 15, 2011, City Council voted to approve Planned Development Ordinance 2619. Within the Planned Development, it requires that a masonry wall shall be constructed between single family and multi-family portions of Blue Bonnet Trails Phase I. The applicant is proposing an alternative live screen wall for the short sections of screening required along the sides of townhomes that are perpendicular to the main road (Wolf Flower Dr.) that the single family lots face.

PON RESPONSES

Staff has received 1 letter of opposition within the 200 ft. notification area for the proposed Planned Development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 03/08/2019.

STAFF CONCERNS

1. The applicant submitted revisions to staff on 3/18/2019. At the time of this report (3/18/2019), staff has no existing concerns.

APPLICANT RESPONSE TO CONCERNS

1. The applicant submitted revisions to staff on 3/18/2019. At the time of this report (3/18/2019), the applicant has addressed staff's concerns.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Additional Consideration

ATTACHED EXHIBITS

1. PD-Ordinance 2619
2. Brick Wall vs Living Wall concept exhibit

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



(19)



PD-19-0025
Blue Bonnet Trails Phase 1
Location Exhibit

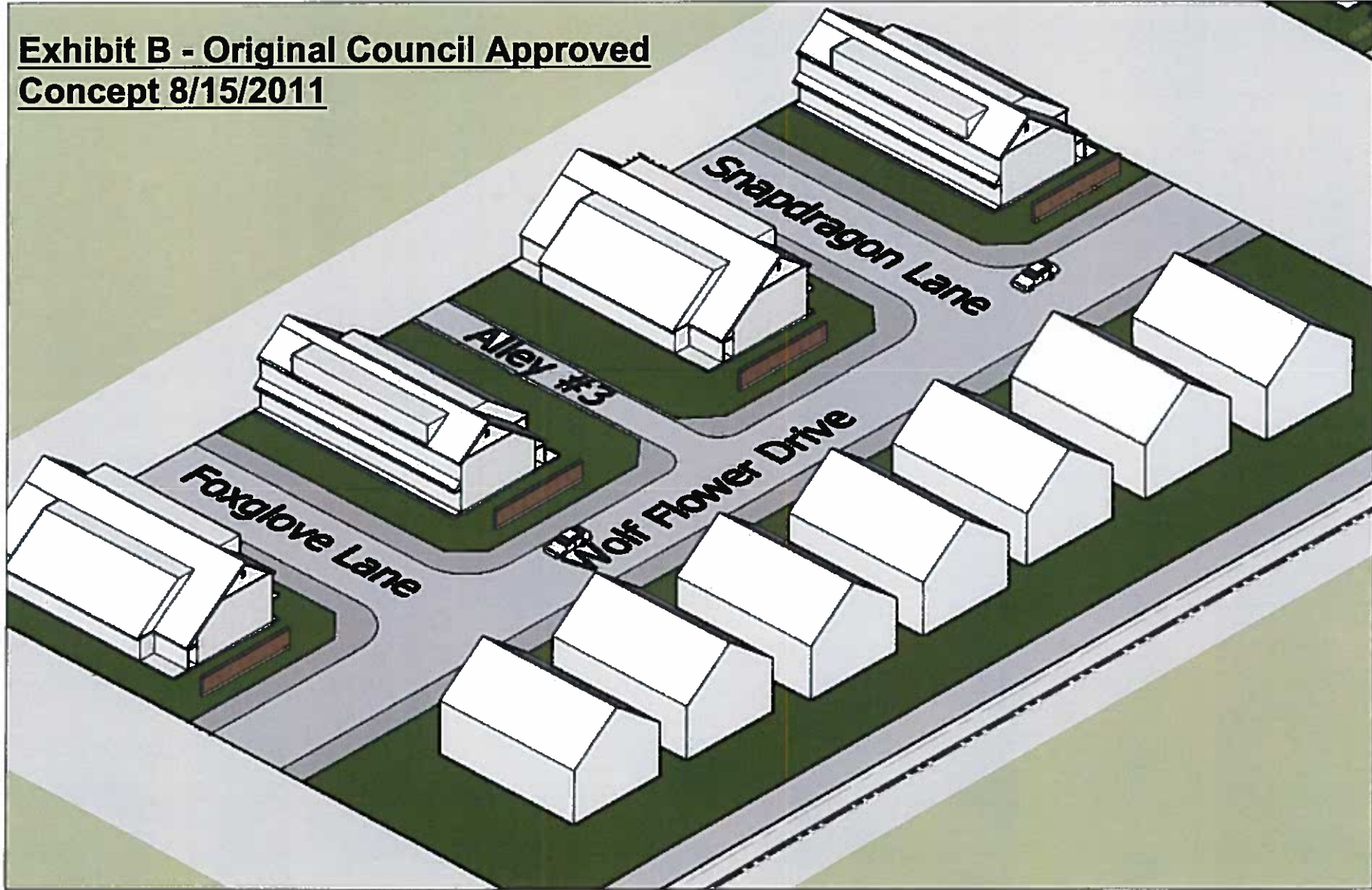
Legend



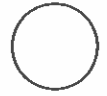
PD-19-0025

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

**Exhibit B - Original Council Approved
Concept 8/15/2011**



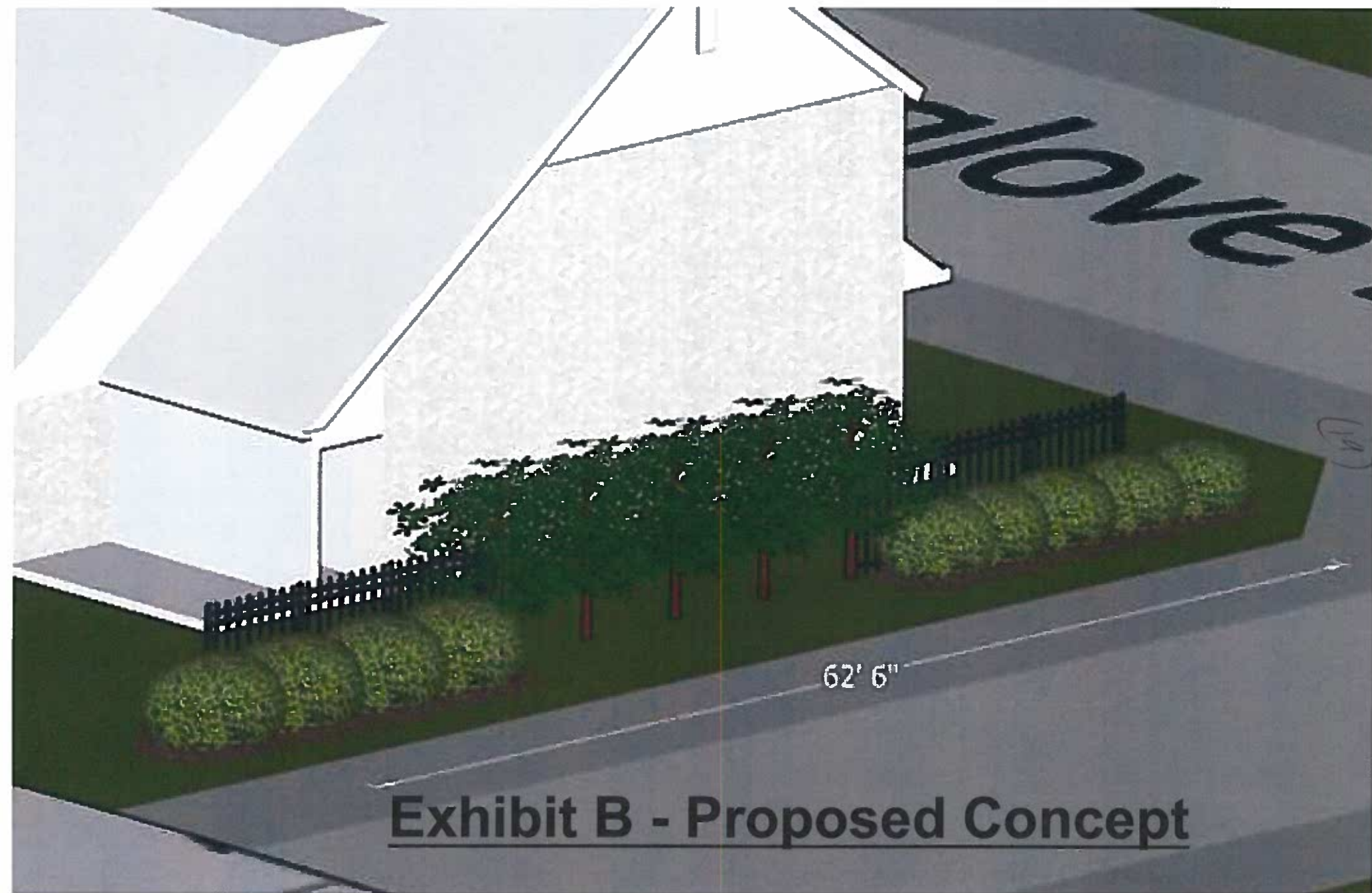
David Rolston
Registered Landscape Architects
214.354.5183
www.davidrolston.com
5607 Dyer Street
Dallas, TX 75206



Date: 07 Mar 2019
Reviewed:
Scale: Not to Scale

PD-19-0025 (Shaw Project)
Blue Bonnet Trails
Dallas, TX

1/91



(20)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3) TO PLANNED DEVELOPMENT AMENDMENT LOCATED AT THE SOUTH SIDE OF FARLEY STREET AT RIVER OAKS IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 27.73 ACRES KNOWN AS A PORTION OF PROPERTY ID 182267 OF THE B DAVIS SURVEY, ABSTRACT NO. 290, 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 PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0025. 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-SF-3 to PD-SF-3, with Concept Plan; 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-SF-3 to PD-SF3, with Concept Plan in order to amend Ordinance No. 2619 to allow landscape screening with wrought iron fencing between townhomes and single family residential home within the Blue Bonnet Trails Phase I residential development on the following property: a portion of Property ID 182267 of the B Davis Survey, Abstract No. 290, which is shown on Exhibit A, in accordance with the Concept Plan attached as Exhibit B.

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 1st day of April, 2019.

(20)

MAYOR

ATTEST:

City Secretary



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: March 29, 2019

Re: SU-19-0026 – 2050 Corporate Pkwy – Storage Facility

At the March 26, 2019 Planning and Zoning meeting, the applicant asked the Commission to continue case no. SU-19-0026 to the April 9, 2019 Planning and Zoning Commission agenda, as well as the April 15, 2019 City Council meeting agenda.

(23)

Planning & Zoning Department Zoning Staff Report

Case: SU-19-0040



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Public Hearing on a request by John P. Sullivan, Howard Road Industrial Park LLC, for a Specific Use Permit for **Heavy Manufacturing (Craft Distillery)** use within a Heavy Industrial zoning district, located at 1807 Howard Road (Property ID 195230) – Owner: JOHN PATRICK SULLIVAN (SU-19-0040)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 7-0 to recommend approval of case no. SU-19-0040, pending that staff comments are met by the applicant.

CASE INFORMATION

Applicant: John P. Sullivan, Howard Road Industrial Park LLC

Property Owner(s): John Patrick Sullivan

Site Acreage: 1.1 acres

Current Zoning: Heavy Industrial

Requested Zoning: Heavy Industrial with SUP for Heavy Manufacturing

SUBJECT PROPERTY

General Location: 1807 Howard Road

Parcel ID Number(s): 195230

Existing Use: Evoqua Water Technologies/Amsolv Holding Co. (Industrial Use)

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI1	Undeveloped Land
East	HI	Industrial Warehouse
South	HI	Industrial Warehouse
West	LI2	Industrial Warehouse

Future Land Use Plan: Mixed Use Non-Residential

Comprehensive Plan:

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use

Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

Thoroughfare Plan:

The subject site is accessible via Howard Rd.

Site Image:**PLANNING ANALYSIS**

The applicant is requesting approval of a Specific Use Permit to allow a craft distillery within an existing 21,200 square foot industrial building on 1.1 acres. Per the applicant's operational plan, once the alcohol is blended at the property site, distributors will pick up the alcohol to take to warehouses to eventually be sold in stores. The proposed business will operate 8am-5pm Monday – Friday. The distillery will only be open to the workers of the company. The distillery will not be open to the public for any tours, nor any sales of alcohol to drink on or off of the premises.

All operations must be compliant with the TABC (Texas Alcoholic Beverage Commission) and the City of Waxahachie development standards.

PON RESPONSES

Staff has received 2 letters of support within the 200 ft. notification area for the proposed Planned Development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 03/08/2019.

STAFF CONCERNS

1. The applicant submitted revisions to staff on 3/12/2019. At the time of this report, staff has no additional concerns.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. All operations must be compliant with the TABC (Texas Alcoholic Beverage Commission).

ATTACHED EXHIBITS

1. Site Plan
2. Operational Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



**Exhibit A -
Location Exhibit**

(69)



SU-19-0040
1807 Howard Rd - Heavy Manufacturing
Location Exhibit

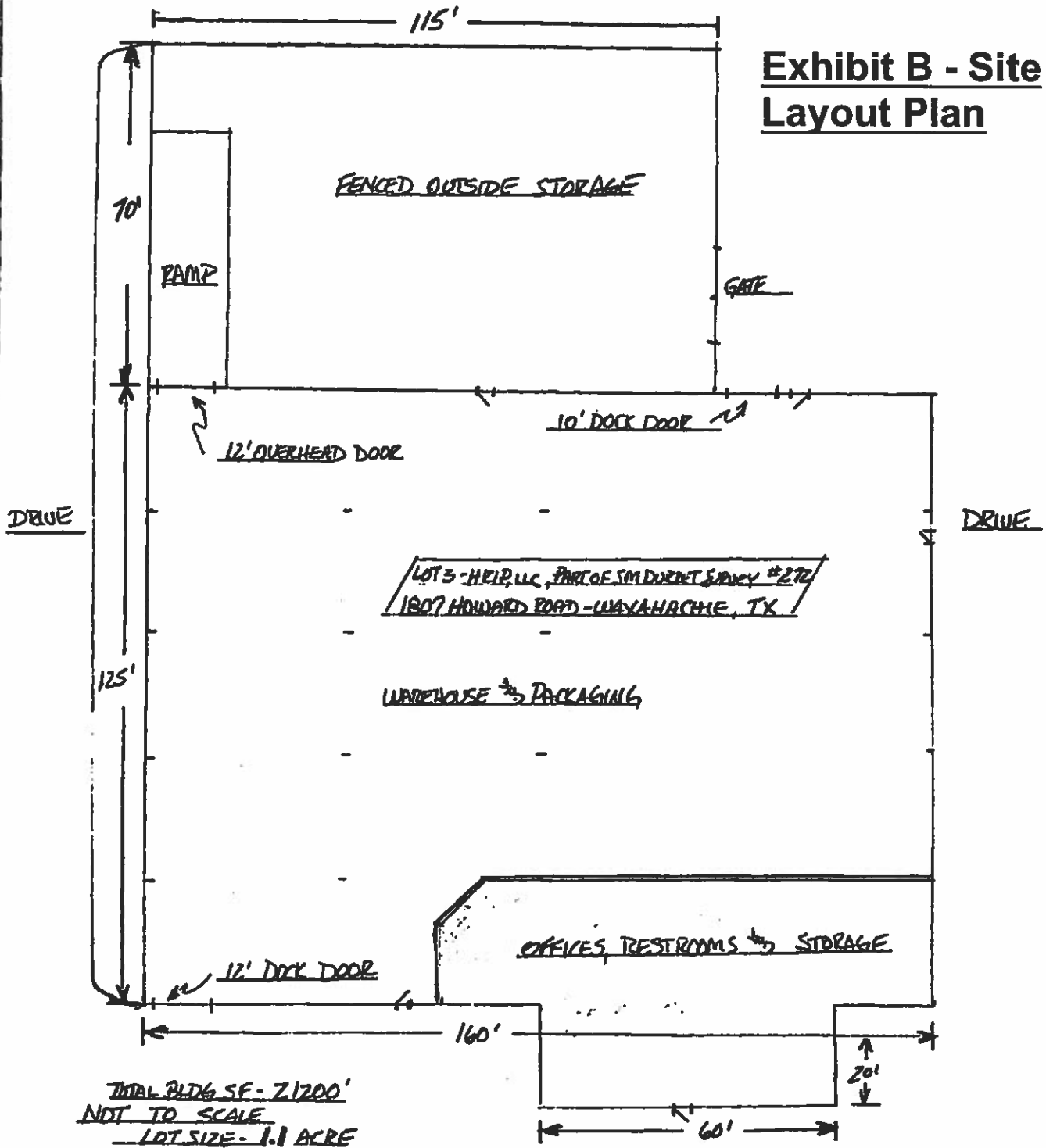
Legend

 SU-19-0040

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

(23)

Exhibit B - Site Layout Plan



FM 877 - HOWARD ROAD

(27)

CASE SU-19-0040

Request by John P. Sullivan, Howard Road Industrial Park LLC, for a Specific Use Permit for **Heavy Manufacturing** use within a Heavy Industrial zoning district, located at 1807 Howard Road (Property ID 195230) – Owner: JOHN PATRICK SULLIVAN (SU-19-0040)

INSIDE REQUIRED 200' NOTIFICATION AREA

- 2 Support
- 0 Oppose

SUPPORT

1. Christopher A. Wilson, 1803 Howard Road, Suite 201, Waxahachie, TX 75165
2. Kenneth C. Reeves, 1809 Howard Road, Waxahachie, TX 75165

OPPOSE

(23)

RECEIVED
3/12/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SU-19-0040



GFN REALTY COMPANY LLC
39 EAST UNION ST
PASADENA, CA 91103

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:


1. Request by John P. Sullivan, Howard Road Industrial Park LLC, for a Specific Use Permit for Heavy Manufacturing use within a Heavy Industrial zoning district, located at 1807 Howard Road (Property ID 195230) – Owner: JOHN PATRICK SULLIVAN (SU-19-0040)

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: planningandzoning@waxahachie.com for additional information on this request.

Case Number: SU-19-0040 X SUPPORT _____ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, MARCH 20, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.



Signature
Christopher A. Wilson
Secretary

Printed Name and Title

3/11/19

Date
1807 Howard Road, Suite 201, Waxahachie

Address TX



(29)

RECEIVED
5/15/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SU-19-0040



REEVES KENNETH
PO BOX 313
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by John P. Sullivan, Howard Road Industrial Park LLC, for a Specific Use Permit for Heavy Manufacturing use within a Heavy Industrial zoning district, located at 1807 Howard Road (Property ID 195230) – Owner: JOHN PATRICK SULLIVAN (SU-19-0040)

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: planningandzoning@waxahachie.com for additional information on this request.

Case Number: SU-19-0040



SUPPORT

____ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on WEDNESDAY, MARCH 20, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Kenneth C. Reeves

Signature

Kenneth C. Reeves

Printed Name and Title

MARCH 14, 2019

Date

1809 HOWARD RD.

Address

WAXAHACHIE, TEXAS 75165

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MANUFACTURING (CRAFT DISTILLERY) USE WITHIN A HEAVY INDUSTRIAL (HI) ZONING DISTRICT, LOCATED AT 1807 HOWARD ROAD, BEING PROPERTY ID 195230, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 3 HOWARD ROAD INDUSTRIAL PARK, 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, the described property is classified in said ordinance and any amendments thereto as HI; 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 SU-19-0040. 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 HI to HI, with an SUP in order to permit a Heavy Manufacturing (Craft Distillery) use on the following property: 3 Howard Road Industrial Park, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR HEAVY MANUFACTURING (CRAFT DISTILLERY) USE IN THE HEAVY INDUSTRIAL (HI) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number SU-19-0040.
2. The development shall adhere to the City Council approved Exhibit A – Location Exhibit and Exhibit B – Site Plan.
3. Any zoning, land use requirements and restrictions not contained within this specific use permit ordinance shall conform to those requirements specified within the Heavy Industrial (HI) District as adopted and amended in the City of Waxahachie Zoning Ordinance. Where

(24)

there is a conflict between the Zoning Ordinance and this ordinance, unless explicitly contained in this ordinance, the more restrictive shall prevail.

4. The distillery shall not be open to the public for any tours, nor any sales of alcohol to drink on or off of the premises.
5. The Craft Distillery may include only indoor areas for operational use. No operations are to be held outside other than on-site parking and loading/unloading of goods used in conjunction with the business.
6. All operations must be compliant with the TABC (Texas Alcoholic Beverage Commission).

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. 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.
3. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.
4. The operation of the facility shall be in strict compliance with all requirements of the Environmental Services Department, Building Inspections, Police Department and Fire Administration.
5. Any unsafe or unauthorized operations or activities may be determined as grounds for revocation of the Specific Use Permit by the City Council.

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 1st day of April, 2019.

MAYOR

ATTEST:

City Secretary

(25)

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0023



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Public Hearing on a request by Brett Hess, Hachie Properties LLC, for a Zoning Change from a Single Family-3 zoning district to **Planned Development with Single Family-Attached** development standards, with **Concept Plan**, located at the NW corner of Peters Street at Parks School House Road (Property ID 226116) – Owner: OLIVER C MCELROY (PD-19-0023)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 7-0 to recommend approval of case no. PD-19-0023 for a Planned Development with Single Family-Attached development standards, pending that a detailed Site Plan is presented to the Planning and Zoning Commission and City Council and all staff comments are met.

CASE INFORMATION

Applicant: Brett Hess, Hachie Properties LLC

Property Owner(s): Oliver C McElroy

Site Acreage: 2.662 acres

Current Zoning: Single Family-3

Requested Zoning: Planned Development with Single Family-Attached development standards

SUBJECT PROPERTY

General Location: NW corner of Peters Street at Parks School House Road

Parcel ID Number(s): 226116

Existing Use: Undeveloped Land

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Single Family Residential
East	PD-SF-3	Single Family Residential
South	SF-3	Undeveloped Land
West	SF-3	Undeveloped Land

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan:

The property is accessible via Park School House Rd. and Peters Rd.

Site Image:**PLANNING ANALYSIS**

The applicant is proposing a Zoning Change from a Single Family-3 zoning district to Planned Development with Single Family-Attached development standards, with Concept Plan to allow townhomes and single family residences which will be maintained by a HOA (Home Owner's Association). The Concept Plan illustrates twenty-four (24) residential lots separated by two blocks (Block A and Block B).

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- Lots 1—5 Block A, Vermont Street, shall contain 5 single family attached buildings, minimum of 25 ft. wide lots with side yard setbacks a minimum of 15ft on the end buildings.
- Lots 1-15 Block B, Park School House Road, shall contain 3 buildings of 5 to 6 attached homes per building, minimum of 25 ft. wide lots with 15 ft. side setbacks and 15 ft. minimum space between buildings. The front set back from the street shall be a minimum of 20 ft.

DENSITY AND DIMENSIONAL STANDARDS

Table 1: Proposed Residential Development Standards (PD with SF-A uses)

Standard	Single Family-Attached (SF-A) <i>per City of Waxahachie</i>	Proposed
Min. Lot Area	3,630 SF per dwelling unit, not to exceed 12 dwelling units per acre (calculated on gross acreage). The minimum lot size shall be 10,890 SF	2,125 sf. (does not include alley)
Min DU Size (Sq. Ft)	1,000 SF	1,000 sf.
Front Yard Setback	15 ft.	20 ft.
Rear Yard Setback	10 ft. (25 ft. if adjacent to SF detached)	20 ft. (does not include alley)
Side Yard Setback	0 ft. (25 ft. if adjacent to SF detached)	-----
Max Building Height	2 Stories	2 Stories
Parking	2 behind front building plane, at least 1 enclosed	1 interior with garage, and 2 exterior spaces

ADDITIONAL REQUIREMENTS FOR PROPOSED PLANNED DEVELOPMENT (PER APPLICANT)

- Masonry requirements of 70% with roof eaves, recessed balcony's and porch areas of cementitious fiberboard or similar materials.
- Each unit shall have a privacy fenced back yard of 6 ft. in height.
- Back driveways shall be a minimum of 20 ft. of depth
- No parking will be allowed on Park School House Road
- All roofing materials shall be of 30-year architectural shingles, flat roofs will have Thermoplastic Polyolefin roofing (TPO).
- All HVAC systems shall be screened and out of view from public right of ways.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 03/08/2019.

PON RESPONSES

Staff has received 2 letters of support within the 200 ft. notification area for the proposed Planned Development.

STAFF CONCERNS

1. Staff has a concern with the proposed unit sizes being 1,000 sf.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☒ Approval, *pending that*:
 - 1. A detailed Site Plan shall be presented and reviewed by the Planning and Zoning Commission and City Council.
- ☐ Additional Consideration

ATTACHED EXHIBITS

1. Concept Plan Packet

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



Exhibit A - Location Exhibit



PD-19-0023 Peter's Pointe Location Exhibit

Legend



PD-19-0023

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

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Peters Pointe Case: PD-19-0023**Exhibit B Planned Development Regulations**

Zoning District RESIDENTIAL SINGLE FAMILY ATTACHED (SFA) is the intended base zoning classification underlying this PD. Any variation to the base zoning district regulations and comprehensive plan are as detailed in these PD regulations along with a site plan and concept plan.

PD DISTRICT DEVELOPMENT STANDARDS**Description of Request**

- The intent is to modify the existing zoning requirements from single family to a Planned Development which will allow for the development of multiple attached Town Home/Row House Buildings or single family attached. Any conditions found within the Single-Family Attached (SF-A) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie Code of Ordinances, as amended.

Proposed Use of Property

- The purpose and intent of this Planned Development (PD) is to allow for the development of four attached town home buildings containing 5 to 6 attached single family homes per building using similar architectural style as the attached elevation and similar family developments of Cliff Estates and Camden Gardens, both located on Park School House Rd and in view of the subject property and creating a common look and style of the area.

General Development Guidelines

- The site plan is attached as exhibit "C".
- An elevation is attached as exhibit "D".
- Vermont Street shall be extended to Park School House Road matching the same existing concrete widths and ROW dimensions as it currently exists.
- The attached homes will have common vertical walls.
- Lots 1-5 Block A, Park School House Road, shall contain 3 buildings of 5 to 6 attached homes per building, minimum of 25 ft wide lots with 15 ft side setbacks and 15 ft minimum space between buildings. The front set back from the street shall be a minimum of 20 ft.
- Minimum SF of each attached home to be 1,000 ft. and contain a rear entry and minimum of a one car garage.
- Height to be a maximum of two-story units.
- All lots shall be fee simple.
- The entire development shall be managed by an HOA. The HOA will maintain all landscaping in a professional manner. The HOA will own and manage common areas.

Additional Requirements on PD – Single Family Attached

- Masonry requirements of 70% with roof eaves, recessed balcony's and porch areas of Cementous fiberboard or similar materials.
- Each unit shall have a privacy fenced back yard of 6ft in height.
- Back driveways shall be minimum of 20 ft of depth.
- No parking will be allowed on Park School House Road.
- All roofing materials shall be of 30-year architectural shingles, flat roofs will have Thermoplastic Polyolefin roofing (TPO).
- All HVAC systems shall be screened and out of view from public right of ways.
- Cluster mailbox receptacles shall be used and located in an area to be determined.
- City of Waxahachie is the owner of record of an unused dedicated alley way at the rear of the homes on Lexington Drive. This dedicated alley way to be associated to the transfer, the responsibility of the developer.
- A monument sign identifying the property and following city standards may be placed on the property, outside of any utility easements, at the discretion of the developer.

City Requirements VS PD Minimum Requirements Table (See attached table)

Standards	Single-Family Attached (SF-A) Requirement	PD Proposal (25 ft Wide Single Family Attached)
Minimum Lot Area	3,630 SF per dwelling unit, not to exceed 12 dwelling units per acre (calculated on gross acreage). The minimum lot size shall be 10,890 SF.	2,125 SF (Does not include alley)
Height Requirements (Not to Exceed)	3 stories in DN, MF1, or MF2, 4 stories in CA for main building. Accessory building 1 story.	Two Story Maximum Height
Lot Density (Number Of units Per Acre)	12 units per acre	9.2 Units Per Acre
Minimum Dwelling Unit (Square Feet)	N/A	1,000 Minimum SF A/C space per unit
Minimum Lot Width	N/A	25 ft wide
Minimum Lot Depth	N/A	85 ft deep
Front Yard Setback	15ft	20 ft
Rear Yard Setback	Adjacent to Residential 25 ft. otherwise 10 ft	20 ft (does not include alley)
Maximum Lot Coverage	50% by main buildings and accessory buildings	1036 SF Includes garage (50% Maximum Lot Coverage)
Parking Requirements	2 behind front building plan, at least 1 enclosed	1 interior with garage and two exterior
Minimum Size Dwelling Units Allowed	1,000 sf	1000 SF minimum per unit



**Exhibit C - Concept
Elevations**

(25)

CASE PD-19-0023

Request by Brett Hess, Hachie Properties LLC, for a Zoning Change from a Single Family-3 zoning district to **Planned Development-Multiple-Family Residential-1, with Concept Plan**, located at the NW corner of Peters Street at Parks School House Road (Property ID 226116) – Owner: OLIVER C MCELROY (PD-19-0023)

INSIDE REQUIRED 200' NOTIFICATION AREA

- 2 Support
- 0 Oppose

SUPPORT

1. Brad Yates, PO Box 2868, Waxahachie, TX 75168
2. Jack McCarter III, 1105 Chiswick High Drive, Waxahachie, TX 76712

OPPOSE

(25)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0023**

RECEIVED
3/18/19



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:


1. Request by Brett Hess, Hachie Properties LLC, for a Zoning Change from a Single Family-3 zoning district to **Planned Development-Multiple-Family Residential-1, with Concept Plan**, located at the NW corner of Peters Street at Parks School House Road (Property ID 226116) – Owner: OLIVER C MCELROY (PD-19-0023)

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: planningandzoning@waxahachie.com for additional information on this request.

Case Number: **PD-19-0023** ☒ SUPPORT ☐ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, MARCH 20, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.


Signature
Brad Yates
Printed Name and Title

3/14/19
Date
PO Box 2868 Waco.
Address
TX. 75168

(25)

RECEIVED
3/18/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0023



MC CARTER JACK III
1105 CHISWICK HIGH DR
WOODWAY, TX 76712

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Brett Hess, Hachie Properties LLC, for a Zoning Change from a Single Family-3 zoning district to **Planned Development-Multiple-Family Residential-1**, with Concept Plan, located at the NW corner of Peters Street at Parks School House Road (Property ID 226116) – Owner: OLIVER C MCELROY (PD-19-0023)

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: planningandzoning@waxahachie.com for additional information on this request.

Case Number: PD-19-0023

☒ SUPPORT

☐ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, MARCH 20, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Signature

Date

Printed Name and Title

Address

Jack McCarter III
owner

3/18/19
1105 Chiswick High
Woodway, TX 76712

(24)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT WITH SINGLE FAMILY-ATTACHED (SF-A) DEVELOPMENT STANDARDS, WITH CONCEPT PLAN LOCATED AT THE NORTHWEST CORNER OF PETERS STREET AT PARKS SCHOOL HOUSE ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 2.662 ACRES KNOWN AS A PORTION OF PROPERTY ID 226116 OF THE SM DURRETT ABSTRACT, 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 PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0023. 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 SF-3 to PD with SF-A development standards, with Concept Plan; 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 SF-3 to PD with SF-A development standards, with Concept Plan in order to facilitate development of the subject property in a manner that allows single family/townhome structures on the following property: a portion of Property ID 226116 of the SM Durrett Abstract, which is shown on Exhibit A, in accordance with the Concept Plan provisions attached as Exhibit B, and the conceptual elevation plan attached as Exhibit C.

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.

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PASSED, APPROVED, AND ADOPTED on this 1st day of April, 2019.

MAYOR

ATTEST:

City Secretary

(27)

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0022



MEETING DATE(S)

Planning & Zoning Commission: March 26, 2019

City Council: April 1, 2019

CAPTION

Public Hearing on a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held March 26, 2019, the Commission voted 4-3 to recommend denial of case no. PD-19-0022.

CASE INFORMATION

Applicant: Scott Johnson, Palladium USA International, Inc.

Property Owner(s): Fuscom Property Company No. 1 LLC

Site Acreage: 6.67 acres

Current Zoning: Light Industrial-1 and Commercial

Requested Zoning: Planned Development-Multiple Family Residential-2

SUBJECT PROPERTY

General Location: West side of N Highway 77, just North of the Life School

Parcel ID Number(s): 193933

Existing Use: Undeveloped Land

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	HI	Industrial Warehouses
East	C	Atmos Energy Corp.
South	PD-GR	Residential
West	LI-1	Life Middle School

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 do other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

The subject site is accessible via US Highway 77.

Site Image:**PLANNING ANALYSIS**

The applicant is proposing a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan to allow a senior family living facility. The Concept Plan illustrates one apartment building with approximately 120 units along with a leasing office and clubhouse. Key features of the Concept Plan include:

- Access point from US Highway 77
- 3-story building with 60% one bedroom units and 40% two bedroom units.
- 180 spaces (107 surface spaces/65 carport spaces/8 handicap accessible spaces) *(does not meet the 50% attached garage requirement)*
- Unit Amenities *(not limited to; see "Amenities List")*:
 - Porches and patios
 - Granite counters in kitchen and bath
 - Walk in showers and tubs
- Clubhouse Amenities *(not limited to; see "Amenities List")*:
 - Game Room
 - Movie Theatre
 - Fitness Center
- Jogging/Walking Trail
- Dog Park
- Gazebo/with seating and BBQ area
- Courtyard
- Pool

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DENSITY AND DIMENSIONAL STANDARDS**Table 1: Proposed Residential Development Standards (PD with MF-2 uses)**

Standard	Multi-Family-2 (MF-2)	Proposed
Min DU Size (Sq. Ft)	600/unit + 100/bedroom. 450/efficiency	1 bedroom = 750 sf. 2 bedroom = 950 sf
Front Yard Setback	25 (75>2) SF 25 (100>2)	100 ft
Rear Yard Setback	50 (75>2) SF	75 ft
Side Yard Setback	50 (75>2) SF 25 (100>2)	50 ft
Max Building Height	3 Stories	3 Stories
Parking	1 space per dwelling unit (Housing for the elderly/Senior Apartments)	1.5 spaces per dwelling

AMENITIES LIST

<u>UNIT AMENITIES</u>	<u>DEVELOPMENT AMENITIES</u>
Granite counters in kitchens and bath.	Fitness center
Walk in showers and tubs.	Yoga / Dance Room
Stainless appliance package (refrig. and microwave) Black stove (smooth top) and Dishwasher. EnergyStar refrig. and DW.	Indoor mail center
Ceiling fans in bedrooms and living areas.	Cyber Lounge with CPU's and printer
All LED lighting.	Walking/Jogging trail with Fitness Stations
42" upper cabinets	Outdoor recreation station provided.
Vinyl plank flooring.	Resort style pool
Wood closet shelving	Gazebos
True 14 SEER HVAC (not a reduced system with pancake air handlers).	Covered Club Porch (900sf)
Interior corridor entries.	Porte Cochere at main entrance.
	Theater Room
	Game Room / Card Room
	Laundry Facility.
	Community Gathering Area/Social Area
	2 building elevators

REQUESTED EXCEPTION(S)

- The proposed porte-cochere will extend into the front yard setback. Any structure encroaching the setback line shall receive an approved exception from the Planning and Zoning Commission and City Council.
- Opposed to providing the required 50% attached garages for a multi-family development, the applicant is providing 180 spaces (107 surface spaces/65 carport spaces/8 handicap accessible spaces)
- There is a 75% masonry requirement for Multi-Family-2 zoning. Currently, the applicant is providing exterior masonry to 40% brick and 15% stucco.
- The minimum roof pitch for a multi-family zoning is 7:12. The applicant is requesting a roof pitch of 5:12.
- According to the ordinance, buildings in Multi-Family zoning shall not exceed 200 ft. in length. *Applicant's Note: Total building length will approach 292 ft. in length, but will be separated by firewalls, thus reducing the length per building.*
- The applicant is providing perimeter screening of a 6' painted picket fence with 6 masonry columns on frontage fence. *Staff requires that a minimum 6 ft. (maximum 8 ft.) masonry fence be provided to help provide a visual and protective barrier between surrounding properties.*

PON RESPONSES

Staff has received 1 letter of support within the 200 ft. notification area for the proposed Planned Development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 03/08/19.

STAFF CONCERNS

1. At the time of this report (3/14/2019), the applicant has yet to submit a Landscape Plan for the project. Final approval will not be made until all staff comments are addressed.
2. The applicant is providing perimeter screening of a 6' painted picket fence with 6 masonry columns on frontage fence. Due to the surrounding of the property, staff requires that a minimum 6 ft. (maximum 8 ft.) masonry fence be provided to help provide a visual and protective barrier between surrounding properties.
3. The minimum roof pitch for a multi-family zoning is 7:12. The applicant is requesting a roof pitch of 5:12.
4. Opposed to providing the required 50% attached garages for a multi-family development, the applicant is providing 180 spaces (107 surface spaces/65 carport spaces/8 handicap accessible spaces)
5. Accessibility to the subject property.

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (3/14/2019), the applicant has yet to submit a Landscape Plan for the project.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- X Denial
 Approval, as presented.
 Additional Consideration

ATTACHED EXHIBITS

1. Site Plan Packet
2. Concept Plan Provisions

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



Exhibit A - Location Exhibit



**PD-19-0022 Palladium Waxahachie
Senior Living
Location Exhibit**

Legend



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

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EXHIBIT B

PD-19-0022

CONCEPT PLAN PROVISIONS

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to facilitate proper design of a senior active lifestyle MF development. Any conditions found within the BASE ZONING DISTRICT MF2 zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District MF2 is the intended base zoning classification underlying this PD. The MF2 zoning district is as herein established have been made in accordance with an adopted comprehensive plan for the purpose of promoting the public health, safety, morals and general welfare, convenience, and protecting and preserving places and areas of historical, cultural or architectural importance and significance in the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to ensure adequate light and air; to prevent the over-crowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

General purpose and description:

The Multiple-Family Residential-2 (MF2) Zoning District is an attached residential district intended to provide the highest residential density of eighteen (18) dwelling units per acre. The principal permitted land uses will include low-rise multiple family dwellings, and apartments. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this District. This District should be located adjacent to a major thoroughfare and serve as a buffer between retail/commercial development or heavy automobile traffic, and medium or low density residential development. Any multi-family development permissible within another zoning district, other than MF1, shall follow the MF2 guidelines and standards.

Height Regulations

3 stories for the main building.

All accessory buildings (excluding recreational buildings) shall be limited to 1 story in height

Area Regulations

- Minimum Lot Area 2,420 SF per dwelling unit, not to exceed 18 dwelling units per acre (calculated on gross acreage).
- The minimum lot size shall be 7,260 SF
- Minimum Lot Width 60'

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- Minimum Lot Depth 120'
- Minimum Front Yard Adjacent to SF - 25'. 75' if over two stories.
- Adjacent to MF or Nonresidential - 25'. 100' if over 2 stories
- Minimum Side Yard Adjacent to SF - 50'. 75' if over two stories.
- Adjacent to MF or Nonresidential - 25'. 100' if over 2 stories
- Minimum Rear Yard Adjacent to a residential; 50', over two story is 75'
- Maximum Lot Coverage 40% by main and accessory buildings
- Parking Regulations 1.5 spaces per efficiency, 1-bed or 2-bed units;
- 2.5 spaces per 3-bed unit;
- 3 spaces per 4-bed or other unit
- Minimum DUA 600 SF per unit (plus 100 SF for each additional bedroom over one)
- 450 SF for efficiency apartment units, with a 25% maximum of the total units.

PD District Development Standards

Description of Request

- To Change current zoning LI to PD allowing a senior housing development

Proposed Use of Property

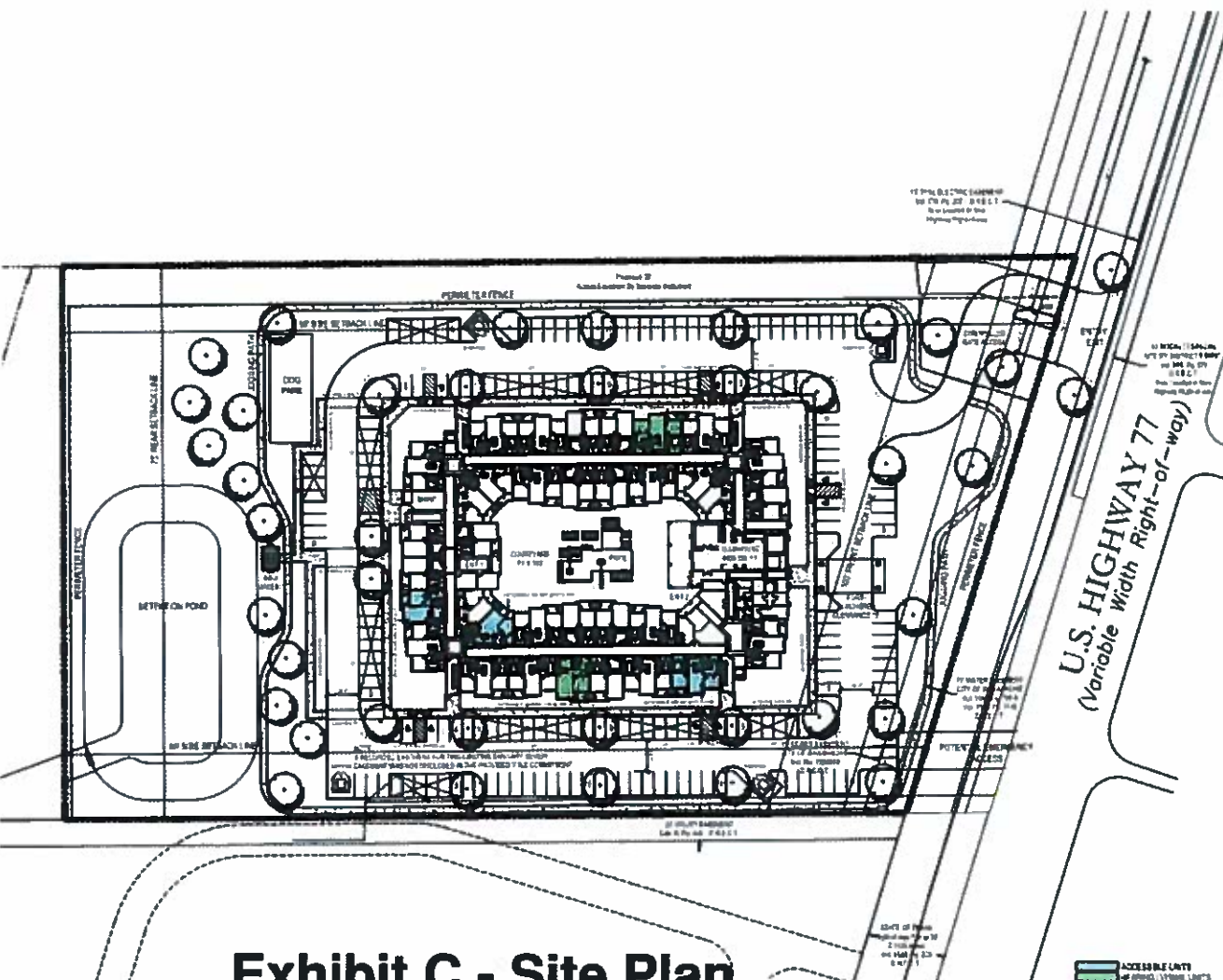
- Development will be a senior age MF community.

General Development Requirements

- 120 units.
- 1 bedroom units are 750 sf, 2 bedroom units are 950 sf.
- Porte-Cochere will extend into front setback. Clearance on the porte cochere is 15'.
- 180 Parking spaces are provided (1.5 spaces per unit). This is considered industry standard for a senior community.
- Minimum 80 parking spaces covered. Carports will be improved with gable roof and masonry columns. This is 66% of all units.
- Building will be 3 stories and have 2 elevators.
- Reduction of exterior masonry to 40% brick and 15% stucco.
- Roof pitch will be 5:12.
- Roof shingles are 30 yrs. laminated with enhanced appearance.
- Total building length will approach 292 ft. in length, but will be separated by firewalls, thus reducing the length per building.
- Perimeter screening will be 6' painted mtl. picket fence with 6 masonry columns on frontage fence.
- Security gate will be located to provide stacking of 4 vehicles entering the development off of Hwy 77.
- All drives and entrances will be 24' wide with 28' radius at turns.
- Development will have Awnings, Balconies, Patios, Dormers, and a Porte Cochere.

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- Development will have a Fitness center, Gazebos, Walking/Jogging trail, Swimming Pool, Theater Room, Business Center, Community Room, Laundry Facility, Game Room, and a Dance/Yoga Room.
- Landscape will include: Minimum 35ea. Canopy Trees, Minimum 40ea. Understory Trees (Crepe Myrtles/Yaupons), 15% ground cover, Minimum 2% seasonal color, Minimum 200 shrubs and 100% sod on balance of the area. Detention pond will be seeded.
- Paving will add an inch of thickness in lieu of lime stabilization.
- Building will have a monument sign on frontage entrance and signage on façade to assist life safety personnel.
- Parking lighting will be dark sky / LED.
- Property will be managed by Omnium Management, a Palladium USA International, Inc company.
- Property will be opened in phases, which will be determined by construction schedule and Fire Department.
- Construction duration will be 16 - 18 months.
- Density is 18 units to the acre.



NEARBYUSUAL				
DESCRIPTION UNIT	COUNT	REQUIRED %	UNIT REQ.	ROUNDED
A1	21	2%	0.42	1
A2	51	2%	1.02	1
D1	40	2%	0.80	1



PD-19-0022

ARCHITECTURAL SITEPLAN

PALLADIUM WAXAHACHIE SENIOR LIVING

A201

WASHDC 1X
10P03 10054

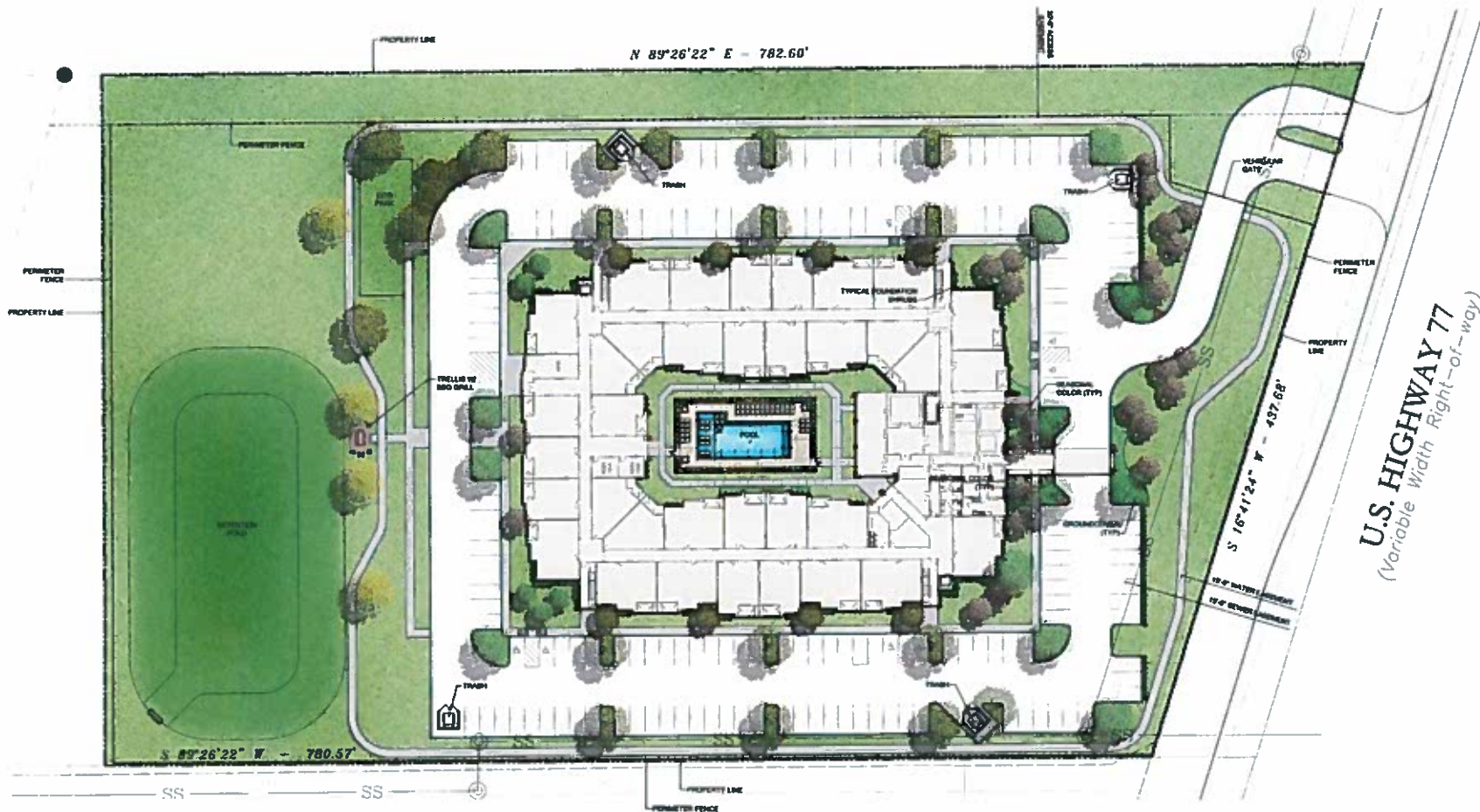


Exhibit D - Landscape Plan

NOTES:
1. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.
2. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.
3. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.
4. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.
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6. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.
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8. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.
9. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.
10. ALL PLANTING SHALL BE DONE BY THE LANDSCAPE ARCHITECT.

LANDSCAPE PLANT LEGEND			
LARGE CHERRY TREES		SMALLER TREES	
	LINE CHERRY QUERCUS VIRENDA 7' dia. 10' ht. 10' sp.		CHERRY BLOSSOM PRUNUS SP.
	SHADY RED CHERRY QUERCUS VIRENDA 7' dia. 10' ht. 10' sp.		CELANO ELAM MAHOGANY 7' dia. 10' ht. 10' sp.
	BLUE CHERRY QUERCUS VIRENDA 7' dia. 10' ht. 10' sp.		PAID CYPRESS TAXODY SP.
			CHERRY BLOSSOM PRUNUS SP.
			CELANO ELAM MAHOGANY 7' dia. 10' ht. 10' sp.
			PAID CYPRESS TAXODY SP.
			CHERRY BLOSSOM PRUNUS SP.
			CELANO ELAM MAHOGANY 7' dia. 10' ht. 10' sp.
			PAID CYPRESS TAXODY SP.

1 LANDSCAPE PLAN

CASE# PD-19-0022



DATE:	08/18/19
BY:	J. L. L. L.
FOR:	PALLADIUM WAXAHACHIE
PROJECT:	12000 West Road
CLIENT:	WAXAHACHIE, TEXAS
DATE:	08/18/19

CLIENT:	PALLADIUM WAXAHACHIE
PROJECT:	12000 West Road
CLIENT:	WAXAHACHIE, TEXAS
DATE:	08/18/19

PALLADIUM WAXAHACHIE
WAXAHACHIE, TEXAS
DATE: 08/18/19

landscape architects
12000 West Road
WAXAHACHIE, TEXAS
DATE: 08/18/19

ISSUE FOR PERMIT
PALLADIUM WAXAHACHIE
DATE: 08/18/19

LANDSCAPE PLAN
DATE: 08/18/19

LP0.01

Exhibit E - Elevations



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

SCALE: 1/16" = 1'-0" (24"x36" SHEET)



HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5336 Alpha Rd., Suite 200, Dallas, TX 75242 | 972.701.8836 | www.humphreys.com

PALLADIUM USA

PD-19-0022

ELEVATIONS

March 12, 2004

A413

PALLADIUM WAXAHACHIE SENIOR LIVING
WAXAHACHIE, TX
614-211-1034

Exhibit E - Elevations



SCALE: 1/16" = 1'-0" (24"x36" SHEET)

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
 5530 Alameda Ave., Suite 202, Dallas, TX 75241 | 972.761.9636 | www.humphreys.com

PALLADIUM USA

PD-19-0022

ELEVATIONS

March 13, 2019

PALLADIUM WAXAHACHIE SENIOR LIVING
 WAXAHACHIE, TX
 HPSA 1884

A414

(27)

(27)

AMENITIES LIST

<u>UNIT AMENITIES</u>	<u>DEVELOPMENT AMENITIES</u>
Granite counters in kitchens and bath.	Fitness center
Walk in showers and tubs.	Yoga / Dance Room
Stainless appliance package (refrig. and microwave) Black stove (smooth top) and Dishwasher. EnergyStar refrig. and DW.	Indoor mail center
Ceiling fans in bedrooms and living areas.	Cyber Lounge with CPU's and printer
All LED lighting.	Walking/Jogging trail with Fitness Stations
42" upper cabinets	Outdoor recreation station provided.
Vinyl plank flooring.	Resort style pool
Wood closet shelving	Gazebos
True 14 SEER HVAC (not a reduced system with pancake air handlers).	Covered Club Porch (900sf)
Interior corridor entries.	Porte Cochere at main entrance.
	Theater Room

(21)

	Game Room / Card Room
	Laundry Facility.
	Community Gathering Area/Social Area
	2 building elevators

(27)

CASE PD-19-0022

Request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)

INSIDE REQUIRED 200' NOTIFICATION AREA

- 1 Support
- 0 Oppose

SUPPORT

1. Terry Nay, 711 Brookside Road, Waxahachie, TX 75167

OPPOSE

(27)

RECEIVED
3/14/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0022



AGRICULTURAL MACHINERY PRODUCTS INC
711 BROOKSIDE RD
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)

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: planningandzoning@waxahachie.com for additional information on this request.

Case Number: PD-19-0022

☒ SUPPORT

☐ OPPOSE

Comments: _____

Your response to this notification is OPTIONAL. If you choose to respond, please return this form by 5:00 P.M. on WEDNESDAY, MARCH 20, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

3/14/19
Signature Agricultural Machinery Products, Inc. Date 3/14/19
DBA One Fine Day Spa
if Power Clean II
Printed Name and Title Terry Noy, President
Address 3390 Hwy. 77 N.
711 Brookside Rd., Wax
Waxahachie, TX

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM LIGHT INDUSTRIAL-1 (LI-1) AND COMMERCIAL (C) TO PLANNED DEVELOPMENT-MULTI-FAMILY DISTRICT 2 (PD-MF2), WITH CONCEPT PLAN LOCATED AT THE WEST SIDE OF NORTH HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 6.67 ACRES KNOWN AS A PORTION OF PROPERTY ID 193933 OF THE T SELBY WILLOWBROOK LAND ABSTRACT, 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 PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0022. 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 denial of the subject property from LI1 and C to PD-MF2, with Concept Plan; 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 LI1 and C to PD-MF2, with Concept Plan in order to facilitate development of the subject property in a manner that allows Senior Family Living apartments on the following property: a portion of Property ID 193933 of the T Selby Willowbrook Land Abstract, which is shown on Exhibit A, in accordance with the Concept Plan provisions attached as Exhibit B, Site Plan attached as Exhibit C, Landscape Plan attached as Exhibit D, Elevations attached as Exhibit E, and Amenities List attached as Exhibit F.

PLANNED DEVELOPMENT

The purpose of this Planned Development to create a multi-family residential development and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

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. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Site Plan (Exhibit C).

1. Any zoning, land use requirement or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in Exhibit C (Site Plan) and Exhibit B (Concept Plan Provisions). Where regulations are not specified in Exhibit C or in this ordinance, the regulations of the Multi-Family Two (MF2) district of the City of Waxahachie Zoning Ordinance shall apply to this development.
2. Final building elevations shall conform to the character of the schematic elevation attached as Exhibit E.
3. Amenities for the property shall be constructed as described in the Amenities List (Exhibit F), and as shown on the approved Site Plan (Exhibit C).

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 1st day of April, 2019.

MAYOR

ATTEST:

City Secretary



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: April 1, 2019
Re: City of Waxahachie Drought Contingency Plan

On Monday, April 1, 2019 an update to the City's Drought Contingency plan will appear before the City Council.

Attached are the proposed revisions to the City of Waxahachie Drought Contingency Plan. These revisions include modifications and general updates to the current plan that was adopted in 2002. The plan was recertified in April 2005, June 2009 and most recently in April 2014. As per 30 Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule §288.20, the city is required to review and update the plan, as appropriate, at least every five years. Staff has reviewed and revised this plan for applicability with the state requirements and included appropriate modification to the plan.

As you may recall this plan contains information related to established Drought Response Stages and the criteria for triggering and resending of each stage. The Drought Stages range from "0" to "4" with "0" being Normal and "4" being a Critical Water Shortage Condition. In addition, there is a Stage 5 - Emergency Water Outage Condition, which could be triggered for unforeseen water system emergencies. Each Drought Stage has water

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reducing strategies & requirements to be implemented to reduce water consumption. Water reduction goals expressed in gallons per capita per day (GPCD) are included in each Stage.

Revisions include such items as:

- Minor revisions to key dates
- Including the use social media as part of public outreach efforts

The revisions are in red with deletions being struck through.

Staff is recommending review and approval of this revised proposed Drought Contingency Plan. After city council review and approval, all edits will be included and the plan finalized. A copy of the plan and ordinance adopting the plan will be forwarded to the Texas Commission on Environmental Quality, Texas Water Development Board and the Region C Water Planning Group.

I am available to answer any questions that you may have.

Tommy Ludwig

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING AND RESTATING THE DROUGHT CONTINGENCY PLAN; ESTABLISHING CRITERIA FOR THE INITATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND AMENDING ORDINANCE NO. 2740; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE:

WHEREAS, the City of Waxahachie, Texas, recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought;

WHEREAS, the City recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes;

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of Waxahachie, Texas, the City of Waxahachie deems its expedient and necessary to establish and amend certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

WHEREAS, The City's existing Drought Plan was enacted by Ordinance No. 2740, and current law require or recommend amendments to the Plan and a periodic review of the plan; and city staff has studied the situation and recommended amendments as set out in the restated plan attached hereto as Exhibit "A";

WHEREAS, the city council has reviewed the recommended amendments and finds that the amendments will meet the requirements of law and serve the public's interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WAXAHACHIE, TEXAS:

SECTION 1. That the City of Waxahachie, Texas Drought Contingency Plan attached hereto as Exhibit "A" and made a part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

SECTION 2. That all ordinances that are in conflict with the provisions of this ordinance, specifically including Ordinance No. 2740, be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

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SECTION 3. Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2019.

MAYOR

ATTEST:

City Secretary



Exhibit A

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DROUGHT CONTINGENCY PLAN FOR THE CITY OF WAXAHACHIE, TEXAS

Ordinance No. 2740

Adopted
April 21, 2014

Revised
April 15, 2019

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**DROUGHT CONTINGENCY PLAN
FOR THE
CITY OF WAXAHACHIE**

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Waxahachie hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

- (a) Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Waxahachie by means of city website and publications at city hall.

Section III: Public Education

The City of Waxahachie will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of the press (local newspapers and radio station), publication at city hall, social media and on city web site at www.waxahachie.com.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Waxahachie is located within the Region C Water Planning Area and the City of Waxahachie has provided a copy of this Plan to the Region C Water Planning Group.

Section V: Authorization

The City Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

- (a) The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Waxahachie. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.
- (b) Wholesale water customers will be notified of Drought Contingency Stages by letter and will be required to implement conservation measures as outlined in their wholesale water contracts with the City.
- (c) Future wholesale water customers shall be required to submit a Drought Contingency Plan to the City of Waxahachie prior to entering into wholesale contracts with the city.
- (d) This drought contingency plan shall be reviewed and updated at a minimum of at least every 5 years, or when necessary, based on new or updated information.
- (e) The City shall notify the Texas Commission on Environmental Quality within 5 business days of the implementation of any mandatory provisions of this plan.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by City of Waxahachie.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians. No outdoor watering between the hours of 10:00 a.m. and 6:00 p.m. beginning June 1st through September 30th. This timeframe may be extended at the discretion of the City Manager. Hand-held watering, drip irrigation, and soaker hoses may be used any day and any time.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except as otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means

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such as publication in the local newspapers, announcements on local radio station, publication at city hall, social media and the city website.

The triggering criteria described below are based on previous experiences in drought conditions in the City of Waxahachie over the past 30 years. Until 1994 the City did not have an established Drought Contingency Plan and there has been sufficient water to serve the City. However, since the City has been and continues to be experiencing moderate growth over the past years, there is a need to revise Drought Contingency measures to protect the City's water supplies as well as meet the Texas Commission on Environmental Quality's Regulations. The following triggering criteria have been established based on the past five years (2014-2018) experience of moderate to severe-drought conditions. These measures, coupled with the improvements of the Bardwell Reservoir Raw Water Pump Station and construction of the new Robert W. Sokoll Joint-Venture Surface Water Treatment Plant, enabled the City of Waxahachie to maintain an adequate supply of water during these dry times. The basis for determining the Drought Stages is based on the available water supply in Lake Waxahachie. Attachment "A" includes additional capacity information of Lake Waxahachie at each Drought Stage.

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(a) STAGE 0 - Normal Water Conditions

Requirements for initiation - Monitor weather conditions, activate Bardwell Reservoir Pump Station to transfer raw water when Lake Waxahachie drops to elevation 530' msl. This is one and one-half feet below the spillway overflow elevation. The lake is operating at approximately 91 percent capacity.

Termination of Stage 0 - Stage 0 of this Plan may be rescinded when the water elevation of Lake Waxahachie is at a minimum of 531' for at least 3 consecutive days.

(b) STAGE 1 - Mild Water Shortage Conditions

Requirements for initiation - When Lake Waxahachie elevation drops to 527' msl. This is 4.5-feet below spillway elevation and the lake is operating at less than 74 percent capacity: Customers will be encouraged to voluntarily conserve water and reduce non-essential water use as described in Section VII - Definitions, of this plan. The city will provide public education on water conservation tips and information through newspaper articles, city website and handouts. Lake Waxahachie and city parks adjacent to the lake will remain open.

Termination of Stage 1 - Stage 1 of this plan may be rescinded when the water elevation of Lake Waxahachie is at a minimum of 530' for at least 3 consecutive days. Upon termination of Stage 1, Stage 0 becomes operative.

(29)

(c) STAGE 2 – Moderate Water Shortage Condition

Requirements for initiation - When Lake Waxahachie elevation drops to 524' msl. This is 7.5-feet below spillway elevation and the lake is operating at less than 68 percent capacity: Customers shall be required to comply with requirements of mandatory limits on all lawn and landscape irrigation which will be restricted to Wednesday and Saturday only; provided however, that the City Manager, or his/her designee, after notice in the newspaper, radio, city website and any other methods deemed appropriate, may change the days to Tuesday, Thursday and Saturday. Non-essential water uses shall be prohibited, except for letter (a), as described in Section VII – Definitions, of this Plan. Items listed in letter (a) shall comply with mandatory watering limits in this stage. Require implementation of like procedures by Wholesale Water Customers in accordance with their contracts and state mandated drought and water conservation plans. Violators of this stage will be subject to fines. First offense - warning; second offense - minimum \$150.00 fine; third offense - minimum \$250.00 fine. Water rate penalty of \$5.00 for water use in excess of 10,000 gallons per account and rate per 1,000 gallons will be increased ten percent (10%) on all accounts.

Termination of Stage 2 – Stage 2 of this Plan may be rescinded when the elevation of Lake Waxahachie is at a minimum of 527' for at least 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes effective.

(d) STAGE 3 – Severe Water Shortage Conditions

Requirements for initiation - When Lake Waxahachie elevation drops to 520' msl. This is 11.5-feet below spillway elevation and the lake is operating at less than 45 percent capacity: Strengthen mandatory water restrictions to specified days: Saturday only from 4:00 a.m. to 10:00 a.m.; provided however, that the City Manager, after notice in the newspaper, radio, city website and any other methods deemed appropriate, may add an additional day and hours, being Wednesday 4:00 a.m. to 10:00 a.m. Above prohibitions shall apply as in Stage 1 and Stage 2. ALL COMMERCIAL AND INDUSTRIAL ACCOUNTS MUST SUBMIT A DETAILED WATER CONSERVATION PLAN TO THE CITY FOR CONSIDERATION AND APPROVAL Violators subject to fines as in Stage 2. Raise water rates penalty to \$25.00 for water in excess of 10,000 gallons per account and continue previous rate per 1,000 gallons as in Stage 2.

Termination of Stage 3 – Stage 3 may be rescinded when the elevation of Lake Waxahachie is at a minimum of 524' for at least 3 consecutive days. Upon termination of Stage 3, Stage 2 becomes effective.

(e) STAGE 4 – Critical Water Shortage Conditions

Requirements for initiation - When Lake Waxahachie elevation drops to 517.5' msl. This is 14-feet below spillway elevation and the lake is operating at less than 25 percent capacity: Strengthen mandatory water restrictions, including no watering of residential and commercial lawns and landscapes. All violators subject to fines. First offense - minimum \$250.00 fine; second offense - minimum \$350.00 fine; third offense - minimum \$500.00 fine. Mandatory reduction of water usage by commercial users per their approved water conservation plan. Raise penalty to \$100.00 for use of water in excess of 10,000 gallons per all account and increase rates on cost per 1,000 gallons by an additional ten- percent (10%).

Termination of Stage 4 – Stage 4 may be rescinded when the elevation of Lake Waxahachie is at a minimum of 520 for at least 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes effective.

NOTE: All provisions of each stage are carried over to the next higher numbered stages, unless amended by the higher numbered stage provisions.

STAGE 5 - Emergency Water Outage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the City Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Customers shall discontinue all non-essential and landscape irrigation water use until the evaluation of the impact and expected duration of the Emergency Water Outage is completed. Upon determination, the City Manager, or his/her designee, will notify customers by local radio, newspaper and any other methods deemed appropriate, of the water use restrictions and the duration of such restrictions.

Requirements for termination – Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 24 hours.

Section IX: Drought Response Stages

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe, critical, or emergency condition exists and shall implement the following actions upon publication of notice in a newspaper of general circulation and on the City of Waxahachie website:

Stage 0 – Normal Water Conditions

Goal: Monitor weather conditions. No reduction goal set for this stage.

Stage 1 - Mild Water Shortage Conditions

Goal: Achieve a 2 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

All operations of the City of Waxahachie shall adhere to voluntary water use restrictions prescribed for in Stage 1 of the Plan.

Stage 2 - Moderate Water Shortage Conditions

Goal: Achieve a 5 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

- (a) All operations of the City of Waxahachie shall adhere to the mandatory watering schedule as defined in Stage 2 of this Plan.
- (b) All known water leaks will become priority to be repaired as soon as possible.
- (c) Fire hydrant flushing activities will be minimized.
- (d) Publish water conservation information in local newspapers, city website, social media, and radio station.

Water Use Restrictions: All requirements of Stage 2 shall be in effect.

Stage 3 - Severe Water Shortage Conditions

Goal: Achieve a 10 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

reduced irrigation of public landscaped areas.

Water Use Restrictions. All requirements of Stage 2 shall remain in effect during Stage 3.

Stage 4 - Critical Water Shortage Conditions

Goal: Achieve a 15 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

Discontinue irrigation of public landscaped areas

Water Use Restrictions. All requirements of Stage 2 and 3 shall remain in effect during Stage 4.

Stage 5 - Emergency Water Shortage Conditions

Goal: Achieve a 30 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

All non-essential as well as landscape irrigation water use to be prohibited until further directed by the City Manager or his/her designee.

Water Use Restrictions:

All non-essential as well as landscape irrigation water use to be prohibited until further directed by the City Manager or his/her designee.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Waxahachie for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a minimum fine as shown in this Ordinance for the provision violated and not more than two thousand dollars (\$2,000). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at the current rate for re-connect fees and any other costs incurred by the City of Waxahachie in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Waxahachie, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any City of Waxahachie Police Officer may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the City of Waxahachie Municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 15 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her

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arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in the City of Waxahachie Municipal Court before all other cases.

Section XI: Variances

The City Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Waxahachie within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Variances granted by the City of Waxahachie shall be subject to the following conditions, unless waived or modified by the City Manager or his/her designee:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section XII: Wholesale Water Contracts

Every wholesale water contract, (treated and untreated water) entered into or renewed after the adoption of this Plan, including any contract extensions, will contain language notifying parties to the contract, that in a case of shortage of water resulting from a drought, the water to be distributed shall be divided in accordance with Texas Water Code Section 11.039.

Section XIII: Severability

It is hereby declared to be the intention of the City of Waxahachie that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the City of Waxahachie without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

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Exhibit A



DROUGHT CONTINGENCY PLAN FOR THE CITY OF WAXAHACHIE, TEXAS

Ordinance No.

Adopted
April 21, 2014

Revised
April 1, 2019

**DROUGHT CONTINGENCY PLAN
FOR THE
CITY OF WAXAHACHIE**

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Waxahachie hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

- (a) Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Waxahachie by means of city website and publications at city hall.

Section III: Public Education

The City of Waxahachie will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of the press (local newspapers and radio station), publication at city hall, social media and on city web site at www.waxahachie.com.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Waxahachie is located within the Region C Water Planning Area and the City of Waxahachie has provided a copy of this Plan to the Region C Water Planning Group.

Section V: Authorization

The City Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

- (a) The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Waxahachie. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.
- (b) Wholesale water customers will be notified of Drought Contingency Stages by letter and will be required to implement conservation measures as outlined in their wholesale water contracts with the City.
- (c) Future wholesale water customers shall be required to submit a Drought Contingency Plan to the City of Waxahachie prior to entering into wholesale contracts with the city.
- (d) This drought contingency plan shall be reviewed and updated at a minimum of at least every 5 years, or when necessary, based on new or updated information.
- (e) The City shall notify the Texas Commission on Environmental Quality within 5 business days of the implementation of any mandatory provisions of this plan.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by City of Waxahachie.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians. No outdoor watering between the hours of 10:00 a.m. and 6:00 p.m. beginning June 1st through September 30th. This timeframe may be extended at the discretion of the City Manager. Hand-held watering, drip irrigation, and soaker hoses may be used any day and any time.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except as otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means such as publication in the local newspapers, announcements on local radio station, publication at city hall, social media and the city website.

The triggering criteria described below are based on previous experiences in drought conditions in the City of Waxahachie over the past 30 years. Until 1994 the City did not have an established Drought Contingency Plan and there has been sufficient water to serve the City. However, since the City has been and continues to be experiencing moderate growth over the past years, there is a need

to revise Drought Contingency measures to protect the City's water supplies as well as meet the Texas Commission on Environmental Quality's Regulations. The following triggering criteria have been established based on the past five years (2014-2018) experience of moderate to severe-drought conditions. These measures, coupled with the improvements of the Bardwell Reservoir Raw Water Pump Station and construction of the new Robert W. Sokoll Joint-Venture Surface Water Treatment Plant, enabled the City of Waxahachie to maintain an adequate supply of water during these dry times. The basis for determining the Drought Stages is based on the available water supply in Lake Waxahachie. Attachment "A" includes additional capacity information of Lake Waxahachie at each Drought Stage.

(a) STAGE 0 - Normal Water Conditions

Requirements for initiation - Monitor weather conditions, activate Bardwell Reservoir Pump Station to transfer raw water when Lake Waxahachie drops to elevation 530' msl. This is one and one-half feet below the spillway overflow elevation. The lake is operating at approximately 91 percent capacity.

Termination of Stage 0 – Stage 0 of this Plan may be rescinded when the water elevation of Lake Waxahachie is at a minimum of 531' for at least 3 three consecutive days.

(b) STAGE 1 - Mild Water Shortage Conditions

Requirements for initiation - When Lake Waxahachie elevation drops to 527' msl. This is 4.5-feet below spillway elevation and the lake is operating at less than 74 percent capacity: Customers will be encouraged to voluntarily conserve water and reduce non-essential water use as described in Section VII – Definitions, of this plan. The city will provide public education on water conservation tips and information through newspaper articles, city website and handouts. Lake Waxahachie and city parks adjacent to the lake will remain open.

Termination of Stage 1 - Stage 1 of this plan may be rescinded when the water elevation of Lake Waxahachie is at a minimum of 530' for at least 3 consecutive days. Upon termination of Stage 1, Stage 0 becomes operative.

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(c) STAGE 2 – Moderate Water Shortage Condition

Requirements for initiation - When Lake Waxahachie elevation drops to 524' msl. This is 7.5-feet below spillway elevation and the lake is operating at less than 68 percent capacity: Customers shall be required to comply with requirements of mandatory limits on all lawn and landscape irrigation which will be restricted to Wednesday and Saturday only; provided however, that the City Manager, or his/her designee, after notice in the newspaper, radio, city website and any other methods deemed appropriate, may change the days to Tuesday, Thursday and Saturday. Non-essential water uses shall be prohibited, except for letter (a), as described in Section VII – Definitions, of this Plan. Items listed in letter (a) shall comply with mandatory watering limits in this stage. Require implementation of like procedures by Wholesale Water Customers in accordance with their contracts and state mandated drought and water conservation plans. Violators of this stage will be subject to fines. First offense - warning; second offense - minimum \$150.00 fine; third offense - minimum \$250.00 fine. Water rate penalty of \$5.00 for water use in excess of 10,000 gallons per account and rate per 1,000 gallons will be increased ten percent (10%) on all accounts.

Termination of Stage 2 – Stage 2 of this Plan may be rescinded when the elevation of Lake Waxahachie is at a minimum of 527' for at least 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes effective.

(d) STAGE 3 – Severe Water Shortage Conditions

Requirements for initiation - When Lake Waxahachie elevation drops to 520' msl. This is 11.5-feet below spillway elevation and the lake is operating at less than 45 percent capacity: Strengthen mandatory water restrictions to specified days: Saturday only from 4:00 a.m. to 10:00 a.m.; provided however, that the City Manager, after notice in the newspaper, radio, city website and any other methods deemed appropriate, may add an additional day and hours, being Wednesday 4:00 a.m. to 10:00 a.m. Above prohibitions shall apply as in Stage 1 and Stage 2. ALL COMMERCIAL AND INDUSTRIAL ACCOUNTS MUST SUBMIT A DETAILED WATER CONSERVATION PLAN TO THE CITY FOR CONSIDERATION AND APPROVAL Violators subject to fines as in Stage 2. Raise water rates penalty to \$25.00 for water in excess of 10,000 gallons per account and continue previous rate per 1,000 gallons as in Stage 2.

Termination of Stage 3 – Stage 3 may be rescinded when the elevation of Lake Waxahachie is at a minimum of 524' for at least 3 consecutive days. Upon termination of Stage 3, Stage 2 becomes effective.

(e) STAGE 4 – Critical Water Shortage Conditions

Requirements for initiation - When Lake Waxahachie elevation drops to 517.5' msl. This is 14-feet below spillway elevation and the lake is operating at less than 25 percent capacity: Strengthen mandatory water restrictions, including no watering of residential and commercial lawns and landscapes. All violators subject to fines. First offense - minimum \$250.00 fine; second offense - minimum \$350.00 fine; third offense - minimum \$500.00 fine. Mandatory reduction of water usage by commercial users per their approved water conservation plan. Raise penalty to \$100.00 for use of water in excess of 10,000 gallons per all account and increase rates on cost per 1,000 gallons by an additional ten- percent (10%).

Termination of Stage 4 – Stage 4 may be rescinded when the elevation of Lake Waxahachie is at a minimum of 520 for at least 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes effective.

NOTE: All provisions of each stage are carried over to the next higher numbered stages, unless amended by the higher numbered stage provisions.

STAGE 5 - Emergency Water Outage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the City Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Customers shall discontinue all non-essential and landscape irrigation water use until the evaluation of the impact and expected duration of the Emergency Water Outage is completed. Upon determination, the City Manager, or his/her designee, will notify customers by local radio, newspaper and any other methods deemed appropriate, of the water use restrictions and the duration of such restrictions.

Requirements for termination – Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 24 hours.

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe, critical, or emergency condition exists and shall implement the following actions upon publication of notice in a newspaper of general circulation and on the City of Waxahachie website:

Stage 0 – Normal Water Conditions

Goal: Monitor weather conditions. No reduction goal set for this stage.

Stage 1 - Mild Water Shortage Conditions

Goal: Achieve a 2 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

All operations of the City of Waxahachie shall adhere to voluntary water use restrictions prescribed for in Stage 1 of the Plan.

Stage 2 - Moderate Water Shortage Conditions

Goal: Achieve a 5 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

- (a) All operations of the City of Waxahachie shall adhere to the mandatory watering schedule as defined in Stage 2 of this Plan.
- (b) All known water leaks will become priority to be repaired as soon as possible.
- (c) Fire hydrant flushing activities will be minimized.
- (d) Publish water conservation information in local newspapers, city website, social media, and radio station.

Water Use Restrictions: All requirements of Stage 2 shall be in effect.

Stage 3 - Severe Water Shortage Conditions

Goal: Achieve a 10 percent reduction in total gallons per capita per day (GPCD).

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City of Waxahachie Management Measures:

reduced irrigation of public landscaped areas.

Water Use Restrictions. All requirements of Stage 2 shall remain in effect during Stage 3.

Stage 4 - Critical Water Shortage Conditions

Goal: Achieve a 15 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

Discontinue irrigation of public landscaped areas

Water Use Restrictions. All requirements of Stage 2 and 3 shall remain in effect during Stage 4.

Stage 5 - Emergency Water Shortage Conditions

Goal: Achieve a 30 percent reduction in total gallons per capita per day (GPCD).

City of Waxahachie Management Measures:

All non-essential as well as landscape irrigation water use to be prohibited until further directed by the City Manager or his/her designee.

Water Use Restrictions:

All non-essential as well as landscape irrigation water use to be prohibited until further directed by the City Manager or his/her designee.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Waxahachie for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a minimum fine as shown in this Ordinance for the provision violated and not

more than two thousand dollars (\$2,000). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at the current rate for re-connect fees and any other costs incurred by the City of Waxahachie in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

- (c) Any person, including a person classified as a water customer of the City of Waxahachie, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any City of Waxahachie Police Officer may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and addresss of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the City of Waxahachie Municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 15 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in the City of Waxahachie Municipal Court before all other cases.

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The City Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Waxahachie within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Variances granted by the City of Waxahachie shall be subject to the following conditions, unless waived or modified by the City Manager or his/her designee:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section XII: Wholesale Water Contracts

Every wholesale water contract, (treated and untreated water) entered into or renewed after the adoption of this Plan, including any contract extensions, will contain language notifying parties to the contract, that in a case of shortage of water resulting from a drought, the water to be distributed shall be divided in accordance with Texas Water Code Section 11.039.

Section XIII: Severability

It is hereby declared to be the intention of the City of Waxahachie that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the City of Waxahachie without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**City of Waxahachie Drought Contingency Plan
LAKE WAXAHACHIE
Drought Management Stages**

Attachment "A"

Lake Level In Feet	Area In Acres	Capacity In Acre Feet	Capacity In Gallons	Drought Stage	Average Depth (ft)	Percent of Normal
S.W. 531.5	656	11,386	3,710,139,486	-	17.35	100
530		10,402	3,389,378,138	0	15.85	91%
527		8,433	2,747,855,462	1	12.85	74%
524		7,777	2,534,014,570	2	11.85	68%
520		5,152	1,678,651,002	3	7.85	45%
517.5		2,855	930,207,880	4	4.35	25%

NOTES:

1. S.W. - spillway elevation
2. Information used to prepare this table comes from the Volumetric Survey of Lake Waxahachie, performed by the U.S. Army Corps of Engineers, Fort Worth District and prepared by the Texas Water Development Board, November 6, 2000.

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Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: April 1, 2019
Re: City of Waxahachie Water Conversation Plan

On Monday, April 1, 2019 an update to the City's Drought Contingency plan will appear before the City Council.

Attached is a copy of the revised Water Conservation Plan for the City of Waxahachie. This plan is required in effort to reduce water consumption to meet projected goal expressed as gallons per capita per day and to reduce unaccounted for water in the system. As identified in the 2017 State Water Plan, approximately 30% of the future water over the next 50 years planning period is projected to come from water saved through conservation measures. The 30 Texas Administrative Code, Chapter 288 requires all public water systems in excess of 3,300 water connection to review, update, adopt and submit a plan by May 1, 2019 that addresses all the requirements outlined in Chapter 288. This plan includes current and proposed information and strategies to comply with these state requirements.

The utility staff has spent numerous hours reviewing and revising this plan that will meet the state requirements and will work to continue to reduce

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the per capita water consumption and address unaccounted for water while still allowing our customers to use plenty of water in a wiser capacity.

Staff is recommending review and approval of this revised Water Conservation Plan. After approval a copy of the final plan will be forwarded to the Texas Commission on Environmental Quality, the Texas Water Development Board and the Region C Water Planning Group.

I am available to answer any questions that you may have.

Tommy Ludwig



City of Waxahachie

WATER CONSERVATION PLAN

City Ordinance No. 2742

~~Adopted May 5, 2014~~
Revised April 1, 2019

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Water Conservation Plan For The City of Waxahachie

I. INTRODUCTION

In an effort to continue to supply the highest quality potable water in sufficient quantities ~~now~~ and to do our part in conserving water for the future, the City of Waxahachie has prepared the following Water Conservation Plan. The Texas Commission on Environmental Quality as well as the Texas Water Development Board through 30 Texas Administrative Code (30 TAC), Part 1, Chapter 288.2 and the Texas Water Code Section 11.1271, requires all public water purveyors that provide water service to 3,300 or more water connections to develop and implement a Water Conservation Plan. This plan addresses the following requirements as listed in the 30 TAC ~~Texas Administrative Code~~ for water conservation plans for public drinking water suppliers:

- Utility Profile
- Specific, quantified five-year and ten-year targets and goals;
- Accurate source water metering;
- Universal metering of both customer and public uses of water, meter testing and repair, and periodic meter replacement;
- Measures to determine and control unaccounted-for water;
- Program for continuing public education and information regarding water conservation;
- Non-promotional water rate structure;
- Reservoir system operation plan;
- Means of implementation and enforcement
- Coordination with the Regional Water Planning Group;
- A program for leak detection, repair and water loss accounting for the water transmission, delivery and distribution system;
- Records management system to record water pumped, water deliveries, water sales and water losses which allow for the desegregation of water sales and uses into the following user classes: (i) residential; (ii) multi-family; (iii) commercial; (iv) industrial; (v) institutional and (vi) wholesale;
- Requirements for wholesale water contracts to contain water conservation plans;
- Method for monitoring the effectiveness and efficiency of the water conservation plan.
- Texas Water Development Board Form No. 1964, 5-and 10-year Goals Table
- City of Waxahachie CCN Map

A. Raw Water Supply, Service Area and System Information

The City of Waxahachie diverts its primary raw water source from Lake Waxahachie. The surface water reservoir is located on South Prong Creek of the Trinity River Basin in Ellis County, in the southern section of the City of Waxahachie approximately four miles from the downtown district. The drainage area for Lake Waxahachie is approximately 30 square miles. The Ellis County Water Control and Improvement District No. 1 (District) was issued Water Rights Permit No. 1742 on March 14, 1955 from the Board of Water Engineers and a Certificate of Adjudication No. 08-5018 on May 5, 1987 from the Texas Water Commission. The permit and adjudication authorizes the District to impound 13,500 acre-feet of water with permission to use 3,570 acre-feet of water annually for municipal purposes. The City of Waxahachie operates and maintains the reservoir, dam, two raw water pump stations, raw water pipe lines and the surface water treatment plant for the District.

The District also holds Certificate of Adjudication No. 08-5021A for diversion of raw water from Bardwell Reservoir in the amount not to exceed 4,320 acre-feet of water per annum. In addition, the District holds Certificate of Adjudication No. 08-5021C, issued February 6, 1998. This ~~Ceertificated~~ allows for a re-use credit maximum of sixty-five percent of the maximum amount of water authorized for diversion by the District ~~for re-use~~. This is sixty-five percent of the total of 4,320 acre-feet and 3,570 acre-feet from Bardwell Reservoir and Lake Waxahachie respectively that is discharge back into Waxahachie Creek from the City of Waxahachie's Wwastewater Ttreatment Pplant (WWTP). The WWTP is located approximately nine miles upstream from the upper end of the conservation pool of Bardwell Reservoir. This sixty-five percent equates to an additional 5,128.5 acre-feet of water per annum that can be diverted for use from Bardwell Reservoir.

On December 4, 1991 the District contracted with the Trinity River Authority (TRA), as a party of the Ellis County Regional Water Supply Project Contract, for the right to purchase and divert, an average annual quantity of 2.150 mgd raw water from the Tarrant County Water Control and Improvement District Number One's (now Tarrant Regional Water District, TRWD) pipeline which conveys raw water from Richland Chambers and Cedar Creek Reservoirs. In the fall of 1999 the District contracted with the Trinity River Authority for the purchase of an additional 2.500 mgd of raw water. The District currently has contracted for 4.65 mgd annual average quantity of raw water through TRA from the TRWD pipelines.

The District has no employees and is a board appointed by the City of Waxahachie City Council for the sole purpose of securing and financing water rights and water infrastructure to support the City of Waxahachie's water customers. For the purpose of this plan The District and the City of Waxahachie are the same entity.

The City of Waxahachie is located in central Ellis County and encompass approximately ~~48-50.88~~ square miles. The City currently has a customer base of

approximately ~~14,101~~16,904 connections with approximately 70% single family residential, 11% commercial and 1% industrial and serves approximately ~~31,731~~37,286 people within the city. The City of Waxahachie's water supply sources are from Lake Waxahachie, Bardwell Reservoir, Cedar Creek and Richland Chambers Reservoirs. The City of Waxahachie water use over the past three years averages approximately ~~5.90~~6.4 mgd with a peak of approximately ~~10.0~~11.8 mgd.

The City of Waxahachie has an established sanitary sewer collection and treatment system with approximately 245 miles of collection lines. The collected wastewater is treated by an activated sludge biological treatment process utilizing ~~an~~ ultraviolet light disinfection process with the treated effluent being returned back to Waxahachie Creek, thence to Bardwell Reservoir. The City of Waxahachie's wastewater treatment plant is currently ~~rated-permitted~~ at 8 MGD annual average. Additional information is contained in the City's Utility Profile for Retail Water Supplier, Appendix "A".

The City of Waxahachie's Water Supply System consists of the following:

Raw Water

Raw water supply is primarily from Lake Waxahachie and is pumped through one of the two raw water pump stations located ~~on-at~~ the lake. As the water elevation in Lake Waxahachie decline, raw water is pumped from Bardwell Reservoir to Lake Waxahachie to ~~help~~-manage available water storage. Bardwell Reservoir has one pump station with three (3) submersible pumps rated at 6.0 million gallons per day each with a firm pumping capacity of 12.0 mgd and two parallel raw water lines, ~~a 20 and 27-inch diameter lines one 20" and the other a 27" diameter~~. Raw water is either pumped directly into Lake Waxahachie or ~~on-an-emergency-situation it may be alternatively~~ pumped directly to the City of Waxahachie Surface Water Treatment Plant through the smaller raw water pump station located at Lake Waxahachie. ~~There are two raw water pump stations located at Lake Waxahachie.~~ Raw Water Pump Station Number 1 ~~at Lake Waxahachie~~ has a firm pumping capacity of 7.0 mgd (with the largest pump out of service). Raw Water Pump Station No.2 has a firm pumping capacity of 18.0 MGD (with the largest pump out of service). Raw water is pumped through parallel 20-inch raw water pipelines from Lake Waxahachie to the surface water treatment plant. These pipelines together have a rated capacity of 18.0 MGD.

Water Treatment

The City of Waxahachie has one conventional surface water treatment plant ~~is~~ currently rated at 18.7 mgd treatment capacity and 15 mgd high service firm pumping capacity. There are three (3) clearwells within the plant site with a total ~~treated-water~~ storage capacity of 4.5 million gallons. The plant is located at 1900 Howard Road in the southern part of the city. The surface water treatment plant has been participating in the Texas Commission on

Environmental Quality's Texas Optimization Program, since 1999.

August 16, 2006 the City of Waxahachie executed a ~~contractual~~ Joint Venture Partnership Agreement with Rockett Special Utility District to form the Robert W. Sokoll Joint Venture partnership to construct the Robert W. Sokoll Surface Water Treatment Plant. The plant was commissioned in December 2009 with a treatment capacity of 20.0 mgd. The plant receives its' raw water from the Tarrant Regional Water District (TRWD) pipelines. ~~The City of Waxahachie is co-owner of the treatment plant which utilizes microfiltration membrane treatment process.~~ The treatment processes includes pre-disinfection, coagulation, sedimentation, granular activated carbon for taste & odor and iron and manganese removal, immersed microfiltration, on-site chlorine generation, ~~vu~~peroxide for enhanced taste & odor control and a 4 million gallon clearwell storage. The City of Waxahachie has a high service pump station at the plant with a firm pumping capacity of 11.00 mgd.

Treated Water Storage and Distribution Systems

The treated water storage in the distribution system consist of three (3) ground storage reservoirs with a storage capacity total of 3.5 million gallons. In addition, there are ~~three-four~~ (43) elevated storage tanks with a storage capacity of ~~56~~ 0 million gallons.

The City of Waxahachie's water distribution system has approximately ~~201~~ 255 miles of water distribution mains ranging in size from 2-inch in diameter through ~~2430~~ 1750-inch diameter and over ~~1350~~ 1750 fire hydrants.

II. WATER CONSERVATION PLAN

A. Quantified Five- and Ten-Year Conservation Goals

The objective of the City of Waxahachie's Water Conservation Plan is to:

- (1) Establish water conservation strategies to achieve efficient use of water and reduce the gallons per capita per day (gpcd) consumption of water to meet specified goals.
- (2) Establish a program to reduce unaccounted-for water in the system and improve the quality of data in water loss estimates expressed in percentage and gpcd to meet specific and quantified goals.

The City of Waxahachie is a municipal water supplier with approximately ten major industrial water users, numerous commercial establishments, and continues to experience strong residential and economic growth. The total gallon per capita per day (GPCD) water use for the calendar year 2013 was 182 gpcd, which is not excessive considering there are several major industrial water users in the city and their respective water uses are included in this gpcd calculation. The residential

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water use for 2013 year was 110 gpcd ~~and the with a~~ water loss was 18 gpcd. The gpcd's are not excessive as compared to industry standards, however there is still a need to reduce the water use to provide a more sustainable water supply during drought times. In the Calendar year 201~~83~~ the City of Waxahachie used a total of ~~2,111,859,000-2,518,968,687~~ gallons of water, with the city's population estimate of ~~31,731-37,286~~.

Water Conservation and Water Loss goals for the city are as follows:

5- AND 10-YR GOALS FOR WATER SAVINGS

City of Waxahachie

~~2014-2019~~ Water Conservation Plan

	Historic 5yr Average	Baseline	5-yr Goal for year 2019	10-yr Goal for year 2024
Total GPCD ¹	+68178	178168	+67177	+65176
Residential GPCD ²	+1068	+1068	+1067	+1066
Water Loss (GPCD) ³	2014	2014	+113	+812
Water Loss (Percentage) ⁴	+34.8%	+34.8%	+4% < 10%	+4% < 10%

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1. Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

2. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

3. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

4. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) X 100

The City has set a goal for the maximum unaccounted for water loss in the system to be no greater than ~~+110%~~ for the next 5 years and no greater than ~~+110%~~ by 2024. This goal is generally recognized in the utility profession as an acceptable level of unaccounted for water loss. The un-accounted for water for ~~2013 2018~~ for the City of Waxahachie was ~~+08%~~, with the previous three years ranging from ~~+03~~ to ~~+211%~~ and ~~2009-2014~~ was at ~~+711%~~ unaccounted for.

B. City of Waxahachie Water Conservation Program

Some of the benefits that can be attributed to water conservation would be: extending the life of existing facilities ~~and~~; ~~delayed~~ water supplies; delayed costs for ~~securing purchase~~ of additional water rights and infrastructure improvements such as pipelines, pump station, water storage facilities, ~~and~~ plant expansions. Other benefits could include lower capital and operating cost such as electrical and treatment chemical. Water pressures in localized areas of the system would be lowered due to reduced pumping durations which in turn could reduce water leaks within the aging infrastructure.

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The City of Waxahachie currently has several water conservation strategies in place:

- Non-promotional Water Rate Structure – the City of Waxahachie has a conservation oriented rate structure. The existing rates have a five tier increasing block structure where customers are billed a higher rate as water usage increases.
- Water Conserving Plumbing – the City of Waxahachie adopted the International Plumbing Code and updates to the code as they are published. The latest code adopted is the 2006–2018 code and requires water conserving plumbing fixtures in all new applications and remodeled applications.
- Direct re-use of the city's wastewater treatment effluent for in-plant wastewater operations and basin wash downs.
- Water Conservation Brochures – brochures are available and distributed at city hall in the Water Billing and Utility Aadministration Departments as well as at the Chamber of Commerce Office and at the Public Library. Conservation information is published in the city's annual Water Quality Report (CCR).
- Public Speaking Events – city staff provide information through speaking engagements at civic organizations, schools, local media, and in-house engagements where water conservation ideas and information are discussed.
- Leak detection program in areas of suspected water leaks based on historical data.
- Water Pressure Reduction is implemented in areas of the city where system pressures exceed 85 psi.
- Through the city landscape ordinances requirement for all new automatic sprinkler systems to be equipped with rain and freeze sensors to prevent irrigation systems to operate during rain events and freezing temperatures.
- Real water losses are minimized by replacement of deteriorating water mains and appurtenances on an on-going basis.
- Real water losses are identified and corrected.
- The Water Conservation Plan and information is available on the

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city web site at www.waxahachie.com.

- Periodic water treatment plan tours with conservation strategies and handouts discussed.

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Proposed Water Conservation Strategies to be implemented by the City of Waxahachie;

- Water audits on all municipal operations and departments of water use habits. Information will be used to help train and re-train City of Waxahachie staff to be leaders in water conservation habits.
- Perform water audits at the major industrial water users.
- Review and update, if needed, the City of Waxahachie **required** landscape ordinance to include and promote more water conservation information and strategies for all new development.
- Prohibition of irrigation between the hours of 10:00 a.m. and 6:00 p.m. from June 1 through September 3~~0~~³⁰ of any year (except irrigation by hand and the use of soaker hoses)
- Increase leak detection programs to include a more comprehensive and expanded areas of leak detection ~~with in-house electronic equipment.~~
- Expand the current public education program to include more speaking engagements with handouts, utilize the local news and social media for publication of conservation articles, etc.

C. Conservation Education and Information

The City of Waxahachie will periodically provide it's customers with literature on conservation ~~measures~~^{measures}. These educational materials are available through the Texas Water Development Board, American Water Works Association, Texas Commission on Environmental Quality and other such agencies. There are various forms of educational information for use such as door-to-door handouts, mail-outs, or information that will be added to the water bill at least once per year and made available to each new customer when they apply for water service. As noted earlier, the City of Waxahachie will publish conservation newspaper articles on its social media network and/or in the local newspapers periodically. City of Waxahachie representatives will be available to present water conservation programs to local schools, civic organizations, and other groups.

D. Source Water and Wholesale Water Metering

The City of Waxahachie electronically meters the raw water diverted from Lake Waxahachie, Bardwell Reservoir and the Tarrant Regional Water District. Wholesale water is electronically metered at the point of connection to the city water distribution system. These readings are electronically telemetered to the SCADA system operated by the City of Waxahachie at the City's water treatment plant. Raw water diverted from Bardwell Reservoir is metered at the raw water pump station located at Bardwell Reservoir, while raw water flows from Lake Waxahachie are metered at the surface water treatment plant from the two raw water lines entering the plant. Raw water diversion from Tarrant Regional Water District pipelines for the Robert W. Sokoll WTP is metered ~~near the connection point of the raw water line at the plant.~~ These readings are electronically telemetered to the SCADA system operated by the City of Waxahachie at the City's water treatment plant and the Sokoll WTP. Flow readings are stored electronically via the SCADA systems at both plants. The master meter calibrations are performed at least annually and more frequently if needed, by an outside firm specializing in this type of work with copies of the calibration log sheets maintained by the utility department. The source water meters will be maintained within a plus/minus 1.5% of 100% accuracy.

At least annually, surveillance of the raw water transmission line routes from Bardwell Reservoir, Lake Waxahachie and TRWD pipeline are made to check for leaks that may be present. Repairs are performed in a timely manner.

E. Monitoring and Records Management Program

City of Waxahachie representatives track the usage daily from the SCADA system and a monthly report is generated from this information for monthly accounting purpose. The pumpage records are ~~compiled~~ compiled daily, monthly and annually on spreadsheets which are reviewed daily by the City of Waxahachie representatives, and are used to compile annual reports ~~as required~~ required by state agencies.

The water records include:

- raw water diversion from each source
- raw water into the surface water treatment plants
- sludge blow down waters
- backwash recycle waters
- treated water pumped to the distribution system
- water pumped into each service area
- water sold by user classifications
 - single family residential
 - commercial
 - industrial

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- multi-family residential
- institutional
- wholesale water
- total water sold
- water metered but not billed
- miscellaneous accounted for water

Miscellaneous accounted for water includes such categories as tank overflows, water leak repairs summary reports, fire hydrant flushing, etc. From these records, the City of Waxahachie tracks on a monthly basis the raw water diverted in acre/feet and mgd. The un-accounted for water loss is compiled and reviewed on an annual basis.

F. Metering/Leak Detection and Repair Program

Master metering of the raw water diverted, water pumped to the distribution system from the water treatment plant, water pumped to the upper pressure plane, and individual metering of all retail users provide an accurate accounting of water uses throughout the system. All water connections to the distribution system are metered, including temporary and construction services as well as all municipal facilities. Metering and meter repair and replacement programs, coupled with an annual water audit, are used in conjunction with other programs such as leak detection and repairs to save significant quantities of water.

The City of Waxahachie utilizes various methods for leak detection such as, customer notification of waterline leaks, detection by utility personnel while reading meters, maintaining the water systems, acoustical leak detection program and while performing other routine surveillance programs. Additionally, water audits are utilized to help determine if leaks exist which may have gone undetected.

The City of Waxahachie tests retail water meters as follows:

- Master meters 3-inch in diameter and larger, tested once per year
- A representative number of 1 ½ to 2-inch and ~~the~~ smaller residential meters are tested annually.
- Residential water meters, tested as per AWWA recommendations found in Standard C700 and AWWA M6, *Water Meters - Selection, Installation, Testing and Maintenance Manual*.

Meters that are found to be non-registering are replaced immediately. A water meter replacement program is in place for residential meters whereby the existing meters are replaced once the meter has registered one million gallons of water. All retail meters in the City of Waxahachie are read monthly and periodic inspections are made of services that are not currently in use to determine if illegal connections

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have been made. The meter department and utility personnel check abandoned services periodically for illegal use. The City is evaluating the implementation of an Automated Meter Reading (AMR) System.

G. Non-Promotional Water Rate Structure

The City of Waxahachie has a conservation oriented rate structure. The existing rates have a five tier increasing block structure (above the minimum bill) where customers are billed a higher rate as water usage increases, as shown below.

Monthly Water Rates

- (1) Minimum water bill for the first ~~one thousand five hundred (1,500)~~ fifteen hundred (1,500) gallons of usage (all accounts):

Up to 1" water meter	\$15.90 <u>\$18.68</u>
1 1/2" water meter	\$33.50 <u>\$41.70</u>
2" water meter	\$52.10 <u>\$61.20</u>
3" water meter	\$101.30 <u>\$119.00</u>
4" water meter	\$209.60 <u>\$246.19</u>
6" water meter	\$407.60 <u>\$478.78</u>
8" water meter	\$705.20 <u>\$828.34</u>
10" water meter	\$1,102.50 <u>\$1,295.00</u>

- (2) The amount shown for the first fifteen hundred (1,500) gallons of consumption in the above Schedule shall constitute a minimum bill for each customer. Billing shall be made in hundreds of gallons. Irrigation meters using less than two hundred (200) gallons per month will not be charged.

- (3) Residential and sprinkler system meters will be subject to the following rates:

1,501--10,000	\$4.20 <u>\$4.92</u> per 1000 gallons
10,001--20,000	\$4.85 <u>\$5.70</u> per 1000 gallons
20,001--30,000	\$5.50 <u>\$6.46</u> per 1000 gallons
30,001--40,000	\$6.10 <u>\$7.16</u> per 1000 gallons

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40,001 and above	\$6.90 <u>\$8.11</u> per 1,000 gallons
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Water rates are reviewed annually to insure water revenue exceed expenses and replacement costs and to discourage excessive and ~~wasteful use of water~~ water use.

H. Reservoir Operations Plan

The city owns Lake Waxahachie and Bardwell Reservoir is owned and operated by the U.S. Army Corp. of Engineers, ~~so~~ I the requirement for the coordinated operations of reservoirs owned by the city within a common watershed do not apply.

I. Wholesale Water Supply Contracts

The City of Waxahachie has one active wholesale water contract with the Nash Forrester WSC ~~and currently working to secure another with the Buena Vista Bethel SUD~~. Wholesale water contracts, contract revisions, contract extension and/or contracts amendments entered into with the City of Waxahachie currently have and will include provisions and requirements for development and implementation of a water conservation plan or water conservation ~~measures~~ measures using the applicable elements required by 30 TAC ~~the Title 30~~, Chapter 288 of the Texas Administrative Code and the Texas Commission on Environmental Quality. If the customer intends to resell the water, the contract between the City of Waxahachie's customer and their customer shall provide that the contract for the resale of the water have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

J. Method of Monitoring the Effectiveness of the Plan

The effectiveness and efficiency of the water conservation program will be monitored on an ongoing basis by the City of Waxahachie Utility Staff. The City of Waxahachie will continue to track total gpcd and residential gpcd water usage, on an annual basis as well as water loss in gpcd and percentage to determine whether reduction targets are being achieved.

K. Reporting Requirements

30 TAC § 288 requires that each entity that is required to submit a water conservation plan to the Texas Water Development Board or the Texas Commission on Environmental Quality shall submit a Water Conservation Plan Annual Report to the TWDB on the entity's progress in implementing each of the minimum requirements in their water conservation plan. This report will be

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submitted in accordance with the requirements.

L. Coordination with Regional Planning Groups

The water service area for the City of Waxahachie is located within the Region C planning area and the city will be providing a copy of this plan to Region C Group.

M. Plan Update

At a minimum, the Water Conservation Plan shall be reviewed and updated every five years to coincide with the regional water planning group revision.

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ORDINANCE NO. _____

AN ORDINANCE ADOPTING A WATER CONSERVATION PLAN FOR THE CITY OF WAXAHACHIE, TEXAS, DECLARING AN EMERGENCY, AND SETTING AN EFFECTIVE DATE:

WHEREAS, Texas state law, including Section 11.1271 of the Texas Water Code; 30 Texas Administrative, Part 1, Chapter 288.2; and Texas Commission on Environmental Quality, requires a municipality to have a water conservation plan, which must meet detailed requirements; and

WHEREAS, the City staff has reviewed the water conservation plan requirements including Section 11.1271 of the Texas Water Code; 30 Texas Administrative Code, Part 1, Chapter 288.2; and Texas Commission on Environmental Quality, and has drawn a water conservation plan which will meet said requirements, and also the real needs of the City for water conservation; and

WHEREAS, the City has reviewed the plan, and determined that it meets the requirements of law and will as a practical matter furnish the protections that the City needs.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF WAXAHACHIE, TEXAS that the "WATER CONSERVATION PLAN FOR THE CITY OF WAXAHACHIE", attached hereto as Exhibit "A", is hereby passed and adopted as the water conservation plan for the City of Waxahachie.

An emergency is declared to exist, affecting public health, safety and welfare, as water conservation is essential for the public safety and welfare, and this ordinance is effective upon passage.

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2019.

MAYOR

ATTEST:

City Secretary

(170)



City of Waxahachie

WATER CONSERVATION PLAN

City Ordinance No.

Revised April 1, 2019

(b)(1)

Water Conservation Plan For The City of Waxahachie

I. INTRODUCTION

In an effort to continue to supply the highest quality potable water in sufficient quantities and to do our part in conserving water for the future, the City of Waxahachie has prepared the following Water Conservation Plan. The Texas Commission on Environmental Quality as well as the Texas Water Development Board through 30 Texas Administrative Code (30 TAC), Part 1, Chapter 288.2 and the Texas Water Code Section 11.1271, requires all public water purveyors that provide water service to 3,300 or more water connections to develop and implement a Water Conservation Plan. This plan addresses the following requirements as listed in the 30 TAC for water conservation plans for public drinking water suppliers:

- Utility Profile
- Specific, quantified five-year and ten-year targets and goals;
- Accurate source water metering;
- Universal metering of both customer and public uses of water, meter testing and repair, and periodic meter replacement;
- Measures to determine and control unaccounted-for water;
- Program for continuing public education and information regarding water conservation;
- Non-promotional water rate structure;
- Reservoir system operation plan;
- Means of implementation and enforcement
- Coordination with the Regional Water Planning Group;
- A program for leak detection, repair and water loss accounting for the water transmission, delivery and distribution system;
- Records management system to record water pumped, water deliveries, water sales and water losses which allow for the desegregation of water sales and uses into the following user classes: (i) residential; (ii) multi-family; (iii) commercial; (iv) industrial; (v) institutional and (vi) wholesale;
- Requirements for wholesale water contracts to contain water conservation plans;
- Method for monitoring the effectiveness and efficiency of the water conservation plan.
- Texas Water Development Board Form No. 1964, 5-and 10-year Goals Table
- City of Waxahachie CCN Map

A. Raw Water Supply, Service Area and System Information

The City of Waxahachie diverts its primary raw water source from Lake Waxahachie. The surface water reservoir is located on South Prong Creek of the Trinity River Basin in Ellis County, in the southern section of the City of Waxahachie approximately four miles from the downtown district. The drainage area for Lake Waxahachie is approximately 30 square miles. The Ellis County Water Control and Improvement District No. 1 (District) was issued Water Rights Permit No. 1742 on March 14, 1955 from the Board of Water Engineers and a Certificate of Adjudication No. 08-5018 on May 5, 1987 from the Texas Water Commission. The permit and adjudication authorizes the District to impound 13,500 acre-feet of water with permission to use 3,570 acre-feet of water annually for municipal purposes. The City of Waxahachie operates and maintains the reservoir, dam, two raw water pump stations, raw water pipe lines and the surface water treatment plant for the District.

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On December 4, 1991 the District contracted with the Trinity River Authority (TRA), as a party of the Ellis County Regional Water Supply Project Contract, for the right to purchase and divert, an average annual quantity of 2.150 mgd raw water from the Tarrant County Water Control and Improvement District Number One's (now Tarrant Regional Water District, TRWD) pipeline which conveys raw water from Richland Chambers and Cedar Creek Reservoirs. In the fall of 1999 the District contracted with the Trinity River Authority for the purchase of an additional 2.500 mgd of raw water. The District currently has contracted for 4.65 mgd annual average quantity of raw water through TRA from the TRWD pipelines.

The District has no employees and is a board appointed by the City of Waxahachie City Council for the sole purpose of securing and financing water rights and water infrastructure to support the City of Waxahachie's water customers. For the purpose of this plan The District and the City of Waxahachie are the same entity.

The City of Waxahachie is located in central Ellis County and encompass approximately 50.88 square miles. The City currently has a customer base of

approximately 16,904 connections with approximately 70% single family residential, 11% commercial and 1% industrial and serves approximately 37,286 people within the city. The City of Waxahachie's water supply sources are from Lake Waxahachie, Bardwell Reservoir, Cedar Creek and Richland Chambers Reservoirs. The City of Waxahachie water use over the past three years averages approximately 6.4 mgd with a peak of approximately 11.8 mgd.

The City of Waxahachie has an established sanitary sewer collection and treatment system with approximately 245 miles of collection lines. The collected wastewater is treated by an activated sludge biological treatment process utilizing ultraviolet light disinfection process with the treated effluent being returned back to Waxahachie Creek, thence to Bardwell Reservoir. The City of Waxahachie's wastewater treatment plant is currently permitted at 8 MGD annual average. Additional information is contained in the City's Utility Profile for Retail Water Supplier, Appendix "A".

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Treated Water Storage and Distribution Systems

The treated water storage in the distribution system consist of three (3) ground storage reservoirs with a storage capacity total of 3.5 million gallons. In addition, there are four (4) elevated storage tanks with a storage capacity of 6.0 million gallons.

The City of Waxahachie's water distribution system has approximately 255 miles of water distribution mains ranging in size from 2-inch in diameter through 30-inch diameter and over 1750 fire hydrants.

II. WATER CONSERVATION PLAN

A. Quantified Five- and Ten-Year Conservation Goals

The objective of the City of Waxahachie's Water Conservation Plan is to:

- (1) Establish water conservation strategies to achieve efficient use of water and reduce the gallons per capita per day (gpcd) consumption of water to meet specified goals.
- (2) Establish a program to reduce unaccounted-for water in the system and improve the quality of data in water loss estimates expressed in percentage and gpcd to meet specific and quantified goals.

The City of Waxahachie is a municipal water supplier with approximately ten major industrial water users, numerous commercial establishments, and continues to experience strong residential and economic growth. The total gallon per capita per day (GPCD) water use for the calendar year 2013 was 182 gpcd, which is not excessive considering there are several major industrial water users in the city and their respective water uses are included in this gpcd calculation. The residential water use for 2013 year was 110 gpcd with a water loss was 18 gpcd. The gpcd's are not excessive as compared to industry standards, however there is still a need to reduce the water use to provide a more sustainable water supply during drought times. In the Calendar year 2018 the City of Waxahachie used a total of

(74)

2,518,968,687 gallons of water, with the city's population estimate of 37,286.

Water Conservation and Water Loss goals for the city are as follows:

5- AND 10-YR GOALS FOR WATER SAVINGS

City of Waxahachie

2019 Water Conservation Plan

	Historic 5yr Average	Baseline	5-yr Goal for year 2019	10-yr Goal for year 2024
Total GPCD ¹	178	178	177	176
Residential GPCD ²	68	68	67	66
Water Loss (GPCD) ³	14	14	13	12
Water Loss (Percentage) ⁴	8%	8%	<10%	<10%

1. Total GPCD = (Total Gallons in System + Permanent Population) ÷ 365

2. Residential GPCD = (Gallons Used for Residential Use + Residential Population) ÷ 365

3. Water Loss GPCD = (Total Water Loss + Permanent Population) ÷ 365

4. Water Loss Percentage = (Total Water Loss + Total Gallons in System) x
100; or (Water Loss GPCD + Total GPCD) X 100

The City has set a goal for the maximum unaccounted for water loss in the system to be no greater than 10% for the next 5 years and no greater than 10% by 2024. This goal is generally recognized in the utility profession as an acceptable level of unaccounted for water loss. The un-accounted for water for 2018 for the City of Waxahachie was 8%, with the previous three years ranging from 3 to 11% and 2014 was at 11% unaccounted for.

B. City of Waxahachie Water Conservation Program

Some of the benefits that can be attributed to water conservation would be: extending the life of existing facilities; delayed water supplies; delayed costs for securing of additional water rights and infrastructure improvements such as pipelines, pump station, water storage facilities, and plant expansions. Other benefits could include lower capital and operating cost such as electrical and treatment chemical. Water pressures in localized areas of the system would be lowered due to reduced pumping durations which in turn could reduce water leaks within the aging infrastructure.

The City of Waxahachie currently has several water conservation strategies in place:

- Non-promotional Water Rate Structure – the City of Waxahachie has a conservation oriented rate structure. The existing rates have a

(20)

five tier increasing block structure where customers are billed a higher rate as water usage increases.

- Water Conserving Plumbing – the City of Waxahachie adopted the International Plumbing Code and updates to the code as they are published. The latest code adopted is the 2018 code and requires water conserving plumbing fixtures in all new applications and remodeled applications.
- Direct re-use of the city's wastewater treatment effluent for in-plant wastewater operations and basin wash downs.
- Water Conservation Brochures – brochures are available and distributed at city hall in the Water Billing and Utility Administration Departments as well as at the Chamber of Commerce Office and at the Public Library. Conservation information is published in the city's annual Water Quality Report (CCR).
- Public Speaking Events – city staff provide information through speaking engagements at civic organizations, schools, local media, and in-house engagements where water conservation ideas and information are discussed.
- Leak detection program in areas of suspected water leaks based on historical data.
- Water Pressure Reduction is implemented in areas of the city where system pressures exceed 85 psi.
- Through the city landscape ordinances requirement for all new automatic sprinkler systems to be equipped with rain and freeze sensors to prevent irrigation systems to operate during rain events and freezing temperatures.
- Real water losses are minimized by replacement of deteriorating water mains and appurtenances on an on-going basis.
- Real water losses are identified and corrected.
- The Water Conservation Plan and information is available on the city web site at www.waxahachie.com.
- Periodic water treatment plant tours with conservation strategies and handouts discussed.

(30)

Proposed Water Conservation Strategies to be implemented by the City of Waxahachie;

- Water audits on all municipal operations and departments of water use habits. Information will be used to help train and re-train City of Waxahachie staff to be leaders in water conservation habits.
- Perform water audits at the major industrial water users.
- Review and update, if needed, the City of Waxahachie landscape ordinance to include and promote more water conservation information and strategies for all new development.
- Prohibition of irrigation between the hours of 10:00 a.m. and 6:00 p.m. from June 1 through September 30 of any year (except irrigation by hand and the use of soaker hoses)
- Increase leak detection programs to include a more comprehensive and expanded areas of leak detection.
- Expand the current public education program to include more speaking engagements with handouts, utilize the local news and social media for publication of conservation articles, etc.

C. Conservation Education and Information

The City of Waxahachie will periodically provide its customers with literature on conservation measures. These educational materials are available through the Texas Water Development Board, American Water Works Association, Texas Commission on Environmental Quality and other such agencies. There are various forms of educational information for use such as door-to-door handouts, mail-outs, or information that will be added to the water bill at least once per year and made available to each new customer when they apply for water service. As noted earlier, the City of Waxahachie will publish conservation newspaper articles on its social media network and/or in the local newspapers periodically. City of Waxahachie representatives will be available to present water conservation programs to local schools, civic organizations, and other groups.

D. Source Water and Wholesale Water Metering

The City of Waxahachie electronically meters the raw water diverted from Lake Waxahachie, Bardwell Reservoir and the Tarrant Regional Water District. Wholesale water is electronically metered at the point of connection to the city

water distribution system. These readings are electronically telemetered to the SCADA system operated by the City of Waxahachie at the City's water treatment plant. Raw water diverted from Bardwell Reservoir is metered at the raw water pump station located at Bardwell Reservoir, while raw water flows from Lake Waxahachie are metered at the surface water treatment plant from the two raw water lines entering the plant. Raw water diversion from Tarrant Regional Water District pipelines for the Robert W. Sokoll WTP is metered at the plant. Flow readings are stored electronically via the SCADA systems at both plants. The master meter calibrations are performed at least annually and more frequently if needed, by an outside firm specializing in this type of work with copies of the calibration log sheets maintained by the utility department. The source water meters will be maintained within a plus/minus 1.5% of 100% accuracy.

At least annually, surveillance of the raw water transmission line routes from Bardwell Reservoir, Lake Waxahachie and TRWD pipeline are made to check for leaks that may be present. Repairs are performed in a timely manner.

E. Monitoring and Records Management Program

City of Waxahachie representatives track the usage daily from the SCADA system and a monthly report is generated from this information for monthly accounting purpose. The pumpage records are compiled daily, monthly and annually on spreadsheets which are reviewed daily by the City of Waxahachie representatives, and are used to compile annual reports as required.

The water records include:

- raw water diversion from each source
- raw water into the surface water treatment plants
- sludge blow down waters
- backwash recycle waters
- treated water pumped to the distribution system
- water pumped into each service area
- water sold by user classifications
 - single family residential
 - commercial
 - industrial
 - multi-family residential
 - institutional
 - wholesale water
- total water sold
- water metered but not billed
- miscellaneous accounted for water

Miscellaneous accounted for water includes such categories as tank overflows, water leak repairs summary reports, fire hydrant flushing, etc. From these records,

(30)

the City of Waxahachie tracks on a monthly basis the raw water diverted in acre/feet and mgd. The un-accounted for water loss is compiled and reviewed on an annual basis.

F. Metering/Leak Detection and Repair Program

Master metering of the raw water diverted, water pumped to the distribution system from the water treatment plant, water pumped to the upper pressure plane, and individual metering of all retail users provide an accurate accounting of water uses throughout the system. All water connections to the distribution system are metered, including temporary and construction services as well as all municipal facilities. Metering and meter repair and replacement programs, coupled with an annual water audit, are used in conjunction with other programs such as leak detection and repairs to save significant quantities of water.

The City of Waxahachie utilizes various methods for leak detection such as, customer notification of waterline leaks, detection by utility personnel while reading meters, maintaining the water systems, acoustical leak detection program and while performing other routine surveillance programs. Additionally, water audits are utilized to help determine if leaks exist which may have gone undetected.

The City of Waxahachie tests retail water meters as follows:

- Master meters 3-inch in diameter and larger, tested once per year
- A representative number of 1 ½ to 2-inch and smaller residential meters are tested annually.
- Residential water meters, tested as per AWWA recommendations found in Standard C700 and AWWA M6, *Water Meters - Selection, Installation, Testing and Maintenance Manual*.

Meters that are found to be non-registering are replaced immediately. A water meter replacement program is in place for residential meters whereby the existing meters are replaced once the meter has registered one million gallons of water. All retail meters in the City of Waxahachie are read monthly and periodic inspections are made of services that are not currently in use to determine if illegal connections have been made. The meter department and utility personnel check abandoned services periodically for illegal use. The City is evaluating the implementation of an Automated Meter Reading (AMR) System.

G. Non-Promotional Water Rate Structure

The City of Waxahachie has a conservation oriented rate structure. The existing rates have a five tier increasing block structure (above the minimum bill) where customers are billed a higher rate as water usage increases, as shown below.

(70)

Monthly Water Rates

(1) Minimum water bill for the first fifteen hundred (1,500) gallons of usage (all accounts):

Up to 1" water meter	\$18.68
1 1/2" water meter	\$41.70
2" water meter	\$61.20
3" water meter	\$119.00
4" water meter	\$246.19
6" water meter	\$478.78
8" water meter	\$828.34
10" water meter	\$1,295.00

(2) The amount shown for the first fifteen hundred (1,500) gallons of consumption in the above Schedule shall constitute a minimum bill for each customer. Billing shall be made in hundreds of gallons. Irrigation meters using less than two hundred (200) gallons per month will not be charged.

(3) Residential and sprinkler system meters will be subject to the following rates:

1,501--10,000	\$4.92 per 1000 gallons
10,001--20,000	\$5.70 per 1000 gallons
20,001--30,000	\$6.46 per 1000 gallons
30,001--40,000	\$7.16 per 1000 gallons
40,001 and above	\$8.11 per 1,000 gallons

Water rates are reviewed annually to insure water revenue exceed expenses and replacement costs and to discourage excessive and water use.

H. Reservoir Operations Plan

The city owns Lake Waxahachie and Bardwell Reservoir is owned and operated by the U.S. Army Corp. of Engineers. The requirement for the coordinated operations of reservoirs owned by the city within a common watershed do not apply.

I. Wholesale Water Supply Contracts

The City of Waxahachie has one active wholesale water contract with the Nash Forrester WSC. Wholesale water contracts, contract revisions, contract extension and/or contracts amendments entered into with the City of Waxahachie currently have and will include provisions and requirements for development and implementation of a water conservation plan or water conservation measures using the applicable elements required by 30 TAC, Chapter 288 of the Texas Administrative Code and the Texas Commission on Environmental Quality. If the customer intends to resell the water, the contract between the City of Waxahachie's customer and their customer shall provide that the contract for the resale of the water have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

J. Method of Monitoring the Effectiveness of the Plan

The effectiveness and efficiency of the water conservation program will be monitored on an ongoing basis by the City of Waxahachie Utility Staff. The City of Waxahachie will continue to track total gpcd and residential gpcd water usage, on an annual basis as well as water loss in gpcd and percentage to determine whether reduction targets are being achieved.

K. Reporting Requirements

30 TAC § 288 requires that each entity that is required to submit a water conservation plan to the Texas Water Development Board or the Texas Commission on Environmental Quality shall submit a Water Conservation Plan Annual Report to the TWDB on the entity's progress in implementing each of the minimum requirements in their water conservation plan. This report will be submitted in accordance with the requirements.

L. Coordination with Regional Planning Groups

The water service area for the City of Waxahachie is located within the Region C planning area and the city will be providing a copy of this plan to Region C Group.

M. Plan Update

At a minimum, the Water Conservation Plan shall be reviewed and updated every five years to coincide with the regional water planning group revision.

(m)

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

CONTACT INFORMATION

Name of Utility: City of Waxahachie

Public Water Supply Identification Number (PWS ID): TX0700008

Certificate of Convenience and Necessity (CCN) Number: 10915

Surface Water Right ID Number: 5018-A

Wastewater ID Number: 20361

Contact: First Name: David Last Name: Bailey

Title: Director of Utilities

Address: 401 S. Rogers City: Waxahachie State: TX

Zip Code: 75168 Zip+4: Email: dbailey@waxahachie.com

Telephone Number: 4693094321 Date:

Is this person the designated Conservation Coordinator? ☐ Yes ☒ No

Coordinator: First Name: Joel Last Name: Otts

Title: Training and Outreach Manager

Address: P.O.Box 757 City: Waxahachie Zip Code: 75168

Email: jotts@waxahachie.com Telephone Number: 469-309-4327

Regional Water Planning Group: C

Groundwater Conservation District:

Our records indicate that you:

- ☐ Received financial assistance of \$500,000 or more from TWDB
- ☒ Have 3,300 or more retail connections
- ☒ Have a surface water right with TCEQ

A. Population and Service Area Data

1. Current service area size in square miles: 51

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

2. Historical service area population for the previous five years, starting with the most current year.

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Water Service
2018	37,286	7,098	36,540
2017	35,804	6,435	35,088
2016	34,531	6,435	33,840
2015	33,436	42,495	32,767
2014	32,665	40,986	32,012

3. Projected service area population for the following decades.

Year	Projected Population Served By Retail Water Service	Projected Population Served By Wholesale Water Service	Projected Population Served By Wastewater Water Service
2020	38,500	6,683	37,538
2030	49,283	8,128	48,051
2040	61,775	9,814	60,231
2050	79,078	11,790	77,101
2060	101,226	14,122	98,754

4. Described source(s)/method(s) for estimating current and projected populations.

Projected population estimates came from the City's Comprehensive Plan
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UTILITY PROFILE FOR RETAIL WATER SUPPLIER

B. System Input

System input data for the previous five years.

Total System Input = Self-supplied + Imported – Exported

Year	Water Produced in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input	Total GPCD
2018	2,555,879,798	0	36,542,000	2,519,337,798	185
2017	2,395,476,768	0	30,046,138	2,365,430,630	181
2016	2,197,365,365	0	36,112,224	2,161,253,141	171
2015	2,131,867,735	0	36,010,010	2,095,857,725	172
2014	1,660,631,632	534,083,000	27,406,000	2,167,308,632	182
Historic Average	2,188,244,260	106,816,600	33,223,274	2,261,837,585	178

C. Water Supply System

1. Designed daily capacity of system in gallons 27,900,000

2. Storage Capacity

2a. Elevated storage in gallons: 5,000,000

2b. Ground storage in gallons: 12,000,000

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

D. Projected Demands

1. The estimated water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demand (gallons)
2020	38,500	2,599,712,500
2021	39,463	2,664,739,075
2022	40,449	2,731,318,725
2023	41,460	2,799,586,500
2024	42,497	2,869,609,925
2025	43,559	2,925,422,440
2026	44,648	2,998,559,680
2027	45,764	3,073,510,240
2028	46,909	3,150,408,440
2029	48,081	3,229,119,960

2. Description of source data and how projected water demands were determined.

2020 - 2024 Water demands are calculated by the 185 GPCD and 2025 - 2029 Water Demands are calculated by the 184 GPCD.

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

E. High Volume Customers

1. The annual water use for the five highest volume
RETAIL customers.

Customer	Water Use Category	Annual Water Use	Treated or Raw
James Hardie Building Products	Industrial	86,916,230	Treated
City of Waxahachie WTP	Industrial	83,948,700	Treated
Owens Corning	Industrial	82,815,000	Treated
Matheson Tri Gas Inc	Industrial	35,505,000	Treated
Cardinal I G Primary	Industrial	35,466,700	Treated

2. The annual water use for the five highest volume
WHOLESALE customers.

Customer	Water Use Category	Annual Water Use	Treated or Raw
Buena Vista Bethel Special UD	Municipal	28,585,000	Treated
Nash Forreton WSC	Municipal	7,957,000	Treated

F. Utility Data Comment Section

Additional comments about utility data.

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UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Section II: System Data

A. Retail Water Supplier Connections

1. List of active retail connections by major water use category.

Water Use Category Type	Total Retail Connections (Active + Inactive)	Percent of Total Connections
Residential - Single Family	11,976	70.85 %
Residential - Multi-Family	2,923	17.29 %
Industrial	78	0.46 %
Commercial	1,524	9.02 %
Institutional	403	2.38 %
Agricultural	0	0.00 %
Total	16,904	100.00 %

2. Net number of new retail connections by water use category for the previous five years.

	Net Number of New Retail Connections						
Year	Residential - Single Family	Residential - Multi-Family	Industrial	Commercial	Institutional	Agricultural	Total
2018	708	213	1	20	0	0	942
2017	518	0	3	19	85	0	625
2016	433	0	0	121	126	0	680
2015	279	0	1	9	7	0	296
2014	259			10	2		271

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

B. Accounting Data

The previous five years' gallons of RETAIL water provided in each major water use category.

Year	Residential - Single Family	Residential - Multi-Family	Industrial	Commercial	Institutional	Agricultural	Total
2018	791,357,901	157,665,300	519,755,580	431,919,400	394,043,610	0	2,294,741,791
2017	712,549,324	160,414,700	491,192,723	413,936,400	299,479,000	0	2,077,572,147
2016	664,658,193	167,076,300	578,200,153	391,576,600	225,666,500	0	2,027,177,746
2015	675,858,500	161,919,600	566,900,674	370,530,900	227,418,900	0	2,002,628,574
2014	656,601,400	142,620,800	578,762,500	411,068,000	105,610,000	0	1,894,662,700

C. Residential Water Use

The previous five years residential GPCD for single family and multi-family units.

Year	Residential - Single Family	Residential - Multi-Family	Total Residential
2018			70
2017			67
2016			66
2015			69
2014			67
Historic Average	0	0	68

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

D. Annual and Seasonal Water Use

1. The previous five years' gallons of treated water provided to RETAIL customers.

Month	Total Gallons of Treated Water				
	2018	2017	2016	2015	2014
January	130,248,567	128,939,216	118,428,008	122,224,100	112,195,100
February	124,980,430	127,230,766	140,913,510	122,167,800	108,793,400
March	120,989,383	126,719,188	123,110,317	107,767,700	113,208,300
April	160,393,019	152,104,597	150,368,282	133,493,100	142,628,000
May	173,868,512	183,961,441	141,003,097	124,600,500	149,586,200
June	250,612,600	177,863,381	183,334,190	164,483,700	164,178,800
July	285,460,542	190,201,312	210,405,622	204,452,912	186,478,600
August	329,948,518	239,215,943	249,785,710	277,798,995	201,868,300
September	241,238,135	225,817,319	195,744,042	248,797,797	238,441,200
October	188,797,477	207,132,521	201,860,171	214,844,621	187,930,200
November	150,058,867	175,721,083	171,388,960	162,871,583	164,368,600
December	138,145,741	142,665,380	140,835,837	119,125,766	124,986,000
Total	2,294,741,791	2,077,572,147	2,027,177,746	2,002,628,574	1,894,662,700

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

2. The previous five years' gallons of raw water provided to RETAIL customers.

Month	Total Gallons of Raw Water				
	2018	2017	2016	2015	2014
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
Total					

3. Summary of seasonal and annual water use.

	Summer RETAIL (Treated + Raw)	Total RETAIL (Treated + Raw)
2018	866,021,660	2,294,741,791
2017	607,280,636	2,077,572,147
2016	643,525,522	2,027,177,746
2015	646,735,607	2,002,628,574
2014	552,525,700	1,894,662,700
Average in Gallons	663,217,825.00	2,059,356,591.60

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

E. Water Loss

Water Loss data for the previous five years.

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
2018	190,864,934	14	7.58 %
2017	255,167,074	20	10.79 %
2016	104,341,757	8	4.83 %
2015	64,991,111	5	3.10 %
2014	244,926,864	21	11.30 %
Average	172,058,348	14	7.52 %

F. Peak Day Use

Average Daily Water Use and Peak Day Water Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Ratio (peak/avg)
2018	6,286,963	9413278	1.4973
2017	5,691,978	6600876	1.1597
2016	5,553,911	6994842	1.2594
2015	5,486,653	7029734	1.2812
2014	5,190,856	6005714	1.1570

G. Summary of Historic Water Use

Water Use Category	Historic Average	Percent of Connections	Percent of Water Use
Residential - Single Family	700,205,063	70.85 %	34.00 %
Residential - Multi-Family	157,939,340	17.29 %	7.67 %
Industrial	546,962,326	0.46 %	26.56 %
Commercial	403,806,260	9.02 %	19.61 %
Institutional	250,443,602	2.38 %	12.16 %
Agricultural	0	0.00 %	0.00 %

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

H. System Data Comment Section

Section III: Wastewater System Data

A. Wastewater System Data

1. Design capacity of wastewater treatment plant(s) in gallons per day: 8,000,000

2. List of active wastewater connections by major water use category.

Water Use Category	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal	14,899		14,899	88.14 %
Industrial	78		78	0.46 %
Commercial	1,524		1,524	9.02 %
Institutional	403		403	2.38 %
Agricultural			0	0.00 %
Total	16,904		16,904	100.00 %

3. Percentage of water serviced by the wastewater system: 98.00 %

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

4. Number of gallons of wastewater that was treated by the utility for the previous five years.

Month	Total Gallons of Treated Water				
	2018	2017	2016	2015	2014
January	76,641,000	124,984,000	151,730,000	118,415,000	97,885,000
February	128,718,000	120,639,000	126,589,000	102,225,000	81,163,000
March	130,603,000	136,855,000	209,728,000	185,302,000	91,465,000
April	97,605,000	148,831,000	184,286,000	157,019,000	102,230,000
May	116,289,000	105,291,000	147,092,000	325,977,000	144,083,000
June	96,730,000	132,229,000	154,191,000	147,419,000	107,519,000
July	96,925,000	112,127,000	101,914,000	101,461,000	90,259,000
August	112,114,000	104,906,000	134,118,000	94,470,000	90,701,000
September	133,260,000	92,097,000	98,927,000	87,821,000	84,728,000
October	292,616,000	91,870,000	95,707,000	129,648,000	86,964,000
November	172,564,000	83,929,000	97,369,000	224,553,000	88,514,000
December	173,402,000	81,253,000	100,834,000	231,948,000	89,140,000
Total	1,627,467,000	1,335,011,000	1,602,485,000	1,906,258,000	1,154,651,000

5. Could treated wastewater be substituted for potable water?



Yes



No

B. Reuse Data

1. Data by type of recycling and reuse activities implemented during the current reporting period.

Type of Reuse	Total Annual Volume (in gallons)
On-site Irrigation	
Plant wash down	1,139,421,600
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (park,golf courses)	
Agricultural	
Discharge to surface water	
Evaporation Pond	
Other	
Total	1,139,421,600

(30)

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

C. Wastewater System Data Comment

Additional comments and files to support or explain wastewater system data listed below.

Explanation of question A. 3. on percentage of water serviced by wastewater system at 98% represents the approximate percent of city water connections that are connected to the city waste water system.

Plant wash down volume is the total gallons from 2014 - 2018 of Recycle Flow data.



Memorandum

To: Honorable Mayor and City Council

From: Michael Scott, City Manager

CC:

Date: March 22, 2019

Re: Schematic Design Services for Phase One of City Hall Annex Project

As discussed during the FY2019 Budget process, the City Hall building is at capacity and the critical need exists to begin activating the two story "old lumberyard" building across from City Hall. This building was originally acquired in 2009 with the intended purpose of providing for future city office space when needed. With the community's tremendous growth and the compliment of city staff hired to help keep up with this growth, this project is now imperative.

This year's operating budget has funding already designated for professional services to begin space planning, preliminary engineering services and abatement services. The attached professional services agreement with Architexas will provide for both schematic architectural services as well as engineering and site layout planning. At the conclusion of this effort, the City will have a professional opinion of cost and a plan for renovating this property. This effort is anticipated to take approximately 4 months to complete. At that time, a new agreement for construction plan development will be presented for consideration.

I respectfully request the Council authorize staff to execute the proposal from Architexas in the amount of \$124,700 (plus reimbursable expenses) so that this important project can begin.

(22)



Memorandum

To: Honorable Mayor and City Council

From: Michael Scott, City Manager

CC:

Date: March 22, 2019

Re: Funding Request for Sims Library Capital Project

The Sims Library Board and staff have long discussed the idea of being able to better utilize the Lyceum Auditorium located on the top floor of the library. The issue with utilizing this space is the access. Currently, it is only accessible via a large steep staircase from the main floor.

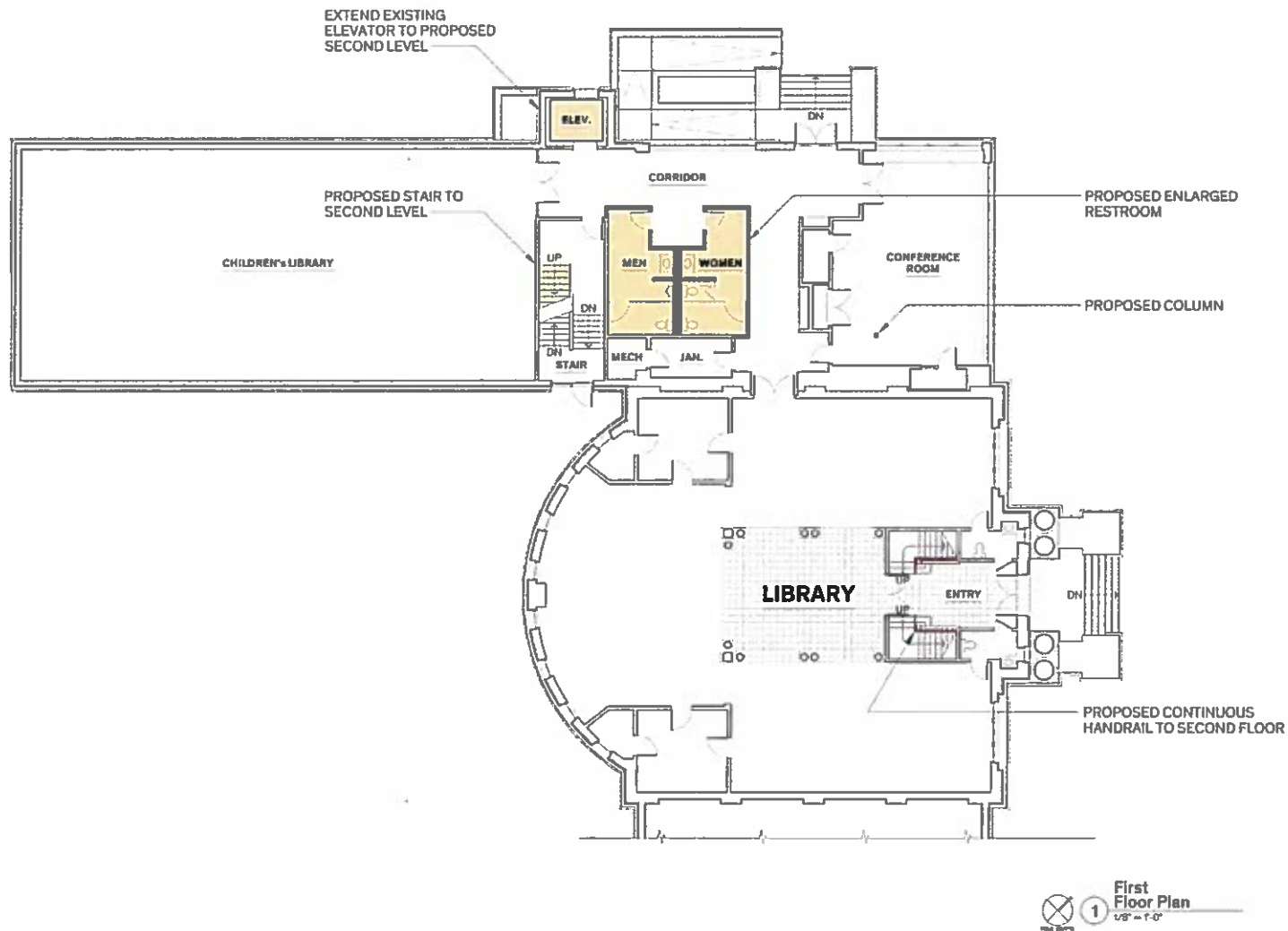
The Board has determined that providing adequate access to this space is a priority as the auditorium has been well-preserved and needs to be enjoyed more broadly by the community. As such, this capital project will consist of the addition of an elevator, renovation of adequate restroom facilities, as well as providing for common areas to be used for congregating during an event. Attached is a rendering of the concept.

The project budget is currently estimated at \$1.8M with funding coming from a variety of sources, including Library endowment funds, fund raising efforts, and this request from the City of Waxahachie.

I am requesting a budget amendment of \$200,000 for the City to contribute to this exciting project.



(26)



(38)

