

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, August 3, 2020 at 7:00 p.m.***

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

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

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

 - a. Minutes of the City Council meeting of July 20, 2020
 - b. Request by Tony Rieper for funding assistance with property at 108 E. Franklin
6. ***Continue Public Hearing*** on a request by Josh Millsap, KFM Engineering & Design, for a detailed Site Plan review for a proposed Subdivision development, Dove Hollow, within a Planned Development zoning district, located adjacent to and south of Grove Creek Rd (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SP-75-2020)
7. ***Consider*** approving SP-75-2020
8. ***Consider*** Development Agreement for SP-75-2020
9. ***Continue Public Hearing*** on a request by Amanda Mata, Peloton Land Solutions, for a Planned Development Amendment (PD-MF2), with Concept Plan, located at Conquest Boulevard and US Highway 287 (Property ID 191628) - Owner: DWBI INVESTMENTS, LLC (ZDC-84-2020)
10. ***Consider*** proposed Ordinance approving ZDC-84-2020

11. **Consider** Development Agreement for ZDC-84-2020
12. **Continue Public Hearing** on a request by Ryan Combs, Gardner Capital, for a Zoning Change from a Single Family-3 zoning district to Planned Development-Multiple Family-2, with Concept Plan, located at the Southeast corner of Parks School House Road and East Main Street (Property ID 138271) - Owner: STARPEACH TEXAS LP (ZDC-77-2020)
13. **Consider** proposed Ordinance approving ZDC-77-2020
14. **Consider** Development Agreement for ZDC-77-2020
15. **Consider** bid award for Northgate Drive Pavement Replacement to J & K Excavation
16. **Consider** authorizing professional engineering design services with Kimley-Horn Associates, Inc. for Monticello Drive Reconstruction from Pensacola Avenue to Cumberland Road
17. **Consider** proposed Ordinance approving Penn Park football field usage fee
18. **Consider** variance by The English Merchant's Parlour for beer and wine retailers off-premise permit located at 109 N. Rogers Street
19. **Consider** proposed Ordinance approving Amended Order of Election to be held November 3, 2020
20. **Convene** into Executive Session for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code
21. **Reconvene** and take any necessary action
22. Comments by Mayor, City Council, City Attorney and City Manager
23. 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

City Council
July 20, 2020

(5a)

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, July 20, 2020 at 7:00 p.m.

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

Councilmember Absent: Kevin Strength, Councilmember

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

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Mayor Hill gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Mr. David McSpadden, 109 Sumner Lane, Waxahachie, congratulated and complimented both the city staff and City Council for all their hard work. He stated citizens could be proud of their guiding the city.

Mr. Chris Wright, 808 West Marvin, Waxahachie, spoke on the tax rate and the importance of attending city meetings to learn about city government and not collecting information on social media that could be misleading. He thanked City Council for doing a great job.

5. Consent Agenda

- a. Minutes of the City Council meeting of July 6, 2020
- b. Minutes of the City Council work session of July 6, 2020
- c. Minutes of the City Council work session of July 7, 2020
- d. Renewal of parking and loading zone lease spaces

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve items a. through d. on the Consent Agenda. Councilmember Melissa Olson seconded, All Ayes.

(5a)

6. **Continue Public Hearing on a request by Josh Millsap, KFM Engineering & Design, for a detailed Site Plan review for a proposed Subdivision development, Dove Hollow, within a Planned Development zoning district, located adjacent to and south of Grove Creek Rd (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SP-75-2020)**

Mayor Hill continued the Public Hearing and announced the applicant requested to continue the Public Hearing to the August 3, 2020 City Council meeting.

7. **Consider proposed Ordinance approving SP-75-2020**

Action:

Councilmember Chuck Beatty moved to continue the Public Hearing on a request by Josh Millsap, KFM Engineering & Design, for a detailed Site Plan review for a proposed Subdivision development, Dove Hollow, within a Planned Development zoning district, located adjacent to and south of Grove Creek Rd (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SP-75-2020) to the August 3, 2020 City Council meeting. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

8. **Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3, and Multiple Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) – Owner: Waxahachie ISD (ZDC-83-2020)**

Mayor Hill opened the Public Hearing.

Planning Director Shon Brooks reported the proposal overrides the existing Ordinance and the purpose of this request is to create a planned development that allows for 129 single-family lots. All lots are proposed to have alleys with rear entry garages. The site will also include open spaces with a retention pond and walking trails in the 2.6 acres that connects to Lee Penn Park. Entry monuments and boulevard entries are proposed at both entrances to the development. Some land has also been set aside for dedication to the neighborhood church. Staff recommended approval.

Applicant Mr. Jeff Crannell, CCM Engineering, stated he has worked with staff on the Development Agreement and reviewed the following:

1. Development Agreement will be required for the development.
2. A walking trail shall be provided to connect to Lee Penn Park.
3. The Symphony Estates development shall consist of a Home Owner's Association.
4. A six-foot brick screening wall will be constructed along Peters Street. Ornamental fencing with masonry columns shall surround the remainder of the property.
5. Street Lights will be installed at each intersection and at 300' intervals along each block. Streetlights shall be ornamental lights with downward facing lamps.
6. A six foot (minimum) sidewalk will be constructed along Graham Street.
7. A detailed Site Plan packet shall be administratively reviewed and approved in accordance with the Site/Concept Plan.

Those who spoke for ZDC-83-2020:

Mr. Ron Livingston, 508 Peters, Waxahachie

There being no others to speak for or against ZDC-83-2020, Mayor Hill closed the Public Hearing.

9. Consider proposed Ordinance approving ZDC-83-2020

ORDINANCE NO. 3197

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-34-MULTI FAMILY-1 (PD-34-MF1), GENERAL RETAIL (GR), SINGLE FAMILY-3 (SF3), AND MULTI FAMILY-1 (MF1) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF3), WITH CONCEPT PLAN LOCATED AT THE NORTHWEST CORNER OF PETERS STREET AND GRAHAM STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 24.76 ACRES KNOWN AS A PORTION OF PROPERTY ID 193944 OF THE 1& PT 3 BLOCK 1 & 3-4A-5 BLOCK 2 HI NOWLIN OF THE TURNER LEARNING CENTER ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3197. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

10. Consider Development Agreement for ZDC-83-2020

Action:

Councilmember Chuck Beatty moved to approve a Development Agreement for ZDC-83-2020. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

11. Public Hearing on a request by Amanda Mata, Peloton Land Solutions, for a Planned Development Amendment (PD-MF2), with Concept Plan, located at Conquest Boulevard and US Highway 287 (Property ID 191628) - Owner: DWBI INVESTMENTS, LLC (ZDC-84-2020)

Mayor Hill opened the Public Hearing.

Mr. Brooks stated the applicant is requesting to amend Ordinance 2296 to allow approval for a Planned Development Amendment to accommodate a development of a 188 unit multi-family residential complex on 10.409 acres located at the intersection of Conquest Boulevard and US Highway 287. The development will consist of eight (8) apartment buildings, the maximum height will be three (3) stories, and a common area will be provided within the development. The concept plan depicts a residential development that includes elements such as: Fitness Center, Dog Park, and Resident Lounge. He reviewed several staff concerns due to the applicant deviation by a large margin and stated it does not meet the Zoning Ordinance and recommended denial.

(50)

Mr. Grant Robinson, DWBI Investments, 9026 West Robin Drive, Dallas, and Mr. Preston Munson, 5447 Victory Boulevard, Dallas, representing applicant, presented the proposed development less the zoning and city requirements.

After a lengthy discussion, it was determined to continue the Public Hearing for further discussion.

12. Consider proposed Ordinance approving ZDC-84-2020

Action:

Councilmember Chuck Beatty moved to continue the Public Hearing on a request by Amanda Mata, Peloton Land Solutions, for a Planned Development Amendment (PD-MF2), with Concept Plan, located at Conquest Boulevard and US Highway 287 (Property ID 191628) - Owner: DWBI INVESTMENTS, LLC (ZDC-84-2020) to the City Council meeting of August 3, 2020. Councilmember Melissa Olson seconded, All Ayes.

13. Consider Development Agreement for ZDC-84-2020

Mayor Hill announced the Development Agreement for ZDC-84-2020 will be considered at the City Council meeting of August 3, 2020.

14. Consider award of a bid to U.S. Underwater Services, LLC associated with the Lake Bardwell Raw Water Intake Minor Channel Dredging Project

Assistant City Manager Mr. Tommy Ludwig reported two bids were received with the lowest bidder being U.S. Underwater Services, LLC in the amount of \$63,000. He explained the project will conduct a minor dredging to remove accumulated lake sedimentation from the Bardwell Raw Water Pump Station and in the channel immediately in front of the station. This scope of work will de-silt the areas around the Raw Water Intake pumps so the City can fully utilize the Lake Bardwell Raw Water Pump Station later this summer during peak demand.

Action:

Councilmember Chuck Beatty moved to award the bid to U.S. Underwater Services, LLC associated with the Lake Bardwell Raw Water Intake Minor Channel Dredging Project as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

15. Consider a Resolution authorizing the reimbursement of the Water Fund from the proceeds of future debt associated with the Lake Bardwell Raw Water Intake Minor Channel Dredging Project

Mr. Ludwig reported the Utilities Department will fund any expenses associated with this project from its operating budget until bonds are sold. He explained the Resolution authorizes a reimbursement to the Utilities Department Operating Fund from future bond sales. Mr. Ludwig stated a project to perform a full dredging of the Lake Bardwell Channel is included in the Fiscal Year 2020-21 Water CIP.

RESOLUTION NO. 1291

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING A MINOR DREDGING AT THE LAKE BARDWELL RAW WATER INTAKE CHANNEL

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Resolution No. 1291 as presented. Mayor David Hill seconded, All Ayes.

- 16. Consider a Resolution to enter into an agreement with TXDOT for the closure of FM 813 north of Spring Creek Drive and south of Grove Creek Drive**

Director of Public Works and Engineering James Gaertner presented a Resolution for FM 813 road closure related to John Houston Homes Development installation of the drainage box culverts under FM 813. He stated the road closure will begin July 22, 2020 and will re-open September 2, 2020.

RESOLUTION NO. 1292

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER AND EXECUTE AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE TEMPORARY ROADWAY CLOSURE OF THE STATE ON-SYSTEM FARM TO MARKET 813 (FM 813) BETWEEN NORTH OF SPRING CREEK DRIVE AND SOUTH OF GROVE CREEK DRIVE FROM JULY 22, 2020 TO SEPTEMBER 2, 2020 FOR THE INSTALLATION OF A BOX CULVERT AND DRAINAGE SYSTEM IN THE CITY OF WAXAHACHIE.

Action:

Councilmember Chuck Beatty moved to approve Resolution No. 1292 as presented. Councilmember Melissa Olson seconded, All Ayes.

- 17. Comments by Mayor, City Council, City Attorney and City Manager**

None

- 18. Adjourn**

There being no further business, the meeting adjourned at 8:27 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(5b)

Tony Rieper
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Waxahachie, TX. 75165
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tonyrieper@gmail.com

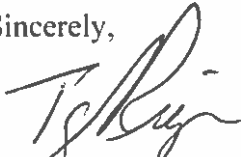
July 27, 2020

RE: The Breadhouse

Dr. TIRZ Members

I am writing this letter to request financial assistance to repair the exterior wall and roof of my building located at 108 E. Franklin St. Waxahachie, TX. My west side exterior wall faces the back of the Ellis County Museum. As I'm sure you are aware the museum is adding a walk way and elevator at the back of the building. There was a tree between the two buildings that the roots have grown into the brick wall of my building underground and the tree has pushed the wall in. The tree was cut down but the stump still remains. The stump is going to need to be removed to make way for the museum's renovations. The stump will need to be removed by hand and the brick wall needs to be repaired. I also have an old skylight that was closed in. The skylight faces the back of the museum and the rain comes down towards the back of the museum where the walk way is going to be. The museum has asked me to close in the skylight and re direct the run off water towards the back of my building. In the museum's plans, is a fence to be erected about six inches from my exterior wall to cover up the appearance of my wall. If granted assistance to do the repairs needed to my building there would be no need for a fence and the money could be used elsewhere. The wall can be used by the museum to paint a mural on, hang plants on or just leave natural. I feel like if the fence is built the space between my building and it will be a catch all for debris which will attract bugs, rodents and will probably smell. I feel that if TIRZ would help in this matter it would be a benefit to everyone involved. Please put this request on the agenda for the next TIRZ meeting. Attached is the scope of work, estimate and pictures. Thanking you in advance for your help with this matter!

Sincerely,



Tony Rieper

(56)

MAIN STREET REMODELING

INVOICE

DATE: JULY 18, 2020

FROM: BILLY EWING

TO: TONY RIEPER- THE BREAD HOUSE

Address: 108 E. Franklin St.

Waxahachie, Texas

DESCRIPTION	UNIT PRICE	TOTAL
Remove stump at back of building at damaged area of brick. Demo all brick necessary to footing. Supply brick mortar and labor as necessary for brick work. Taking in void in the center of the building at watershed.		
Install metal wall for brick support and roof in and seal off cavity above old skylight.		
Price includes all material and labor		
50% of total is due to help with cost of materials	Deposit	\$9,900.00
	SUBTOTAL	\$19,800.00
	TOTAL DUE	\$19800.00

Make all checks payable to Billy Ewing.
Thank you for your business!

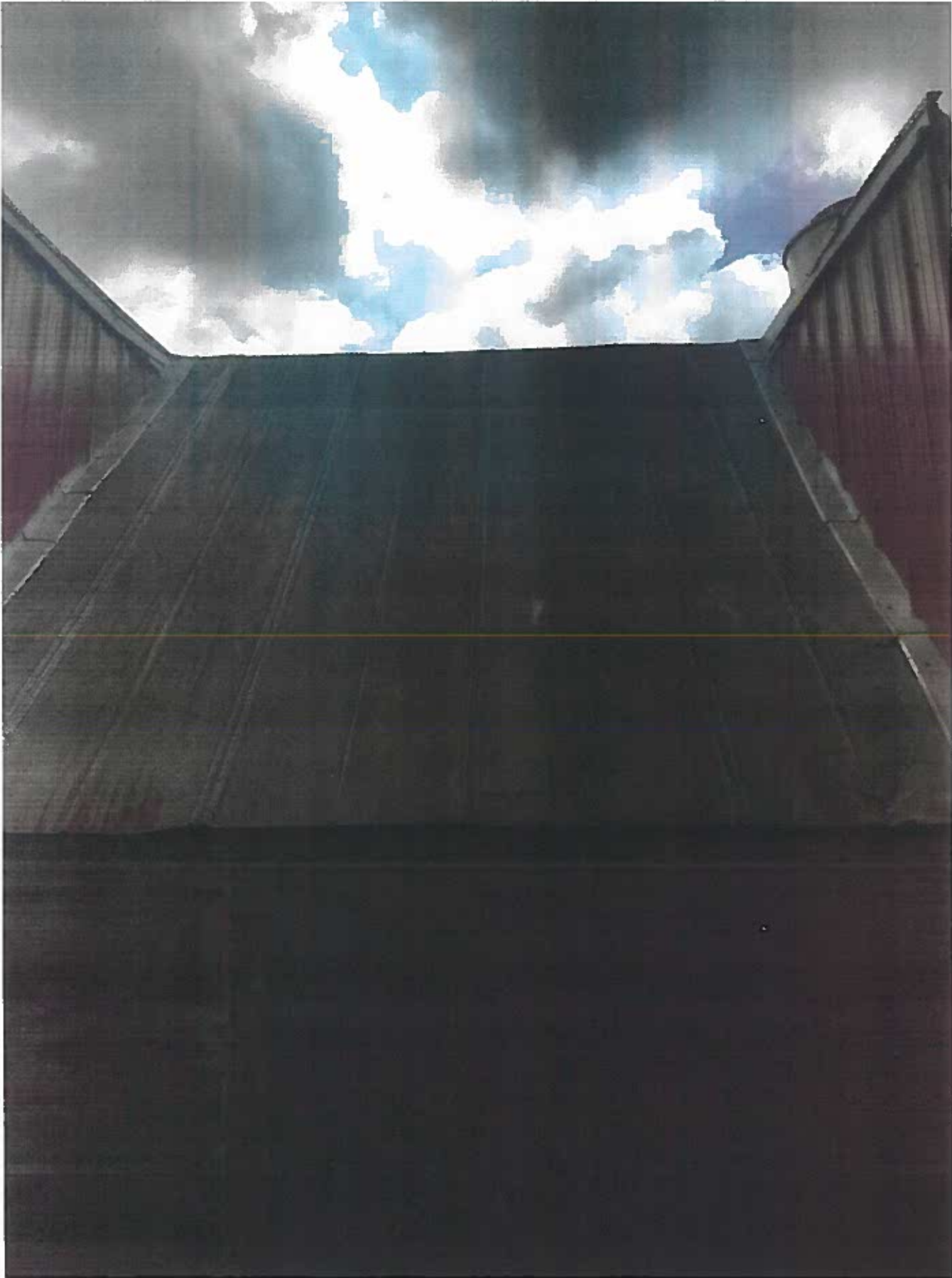
(5b)



(5b)



(50)



(5b)

7/27/20, 11:24 AM



(U)

Planning & Zoning Department

Zoning Staff Report

Case: SP-75-2020



MEETING DATE(S)

Planning & Zoning Commission: Tuesday, July 14, 2020

City Council: Monday, August 3, 2020

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held July 14, 2020, the Commission voted 6-0 to recommend approval of zoning change SP-75-2020, subject to staff comments and the creation of a Developer's Agreement for Dove Hollow. Since the Planning and Zoning Commission meeting, the developer has updated the site plan to show all lots fronting Grove Creek Rd. to be 80' in width. Staff has also worked with the applicant to create a Development Agreement for the Dove Hollow Subdivision.

CAPTION

Continue Public Hearing on a request by Josh Millsap, KFM Engineering & Design, for a detailed Site Plan review for a proposed Subdivision development, Dove Hollow, within a Planned Development zoning district, located adjacent to and south of Grove Creek Rd (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SP-75-2020)

APPLICANT REQUEST

The applicant is requesting Planning and Zoning Commission and City Council approval of an updated site plan for the Dove Hollow Subdivision. The previously approved preliminary plat expired earlier this spring.

CASE INFORMATION

Applicant: Josh Millsap, KFM Engineering & Design

Property Owner(s): CEH 212 LP

Site Acreage: 213.46 acres

Current Zoning: PD-SF-1, PD-SF-2, PD-SF-3, PD-MF-1, PD-GR

SUBJECT PROPERTY

General Location: This property is largely located adjacent to and south of Grove Creek Rd.

Parcel ID Number(s): 192636, 192643, 192639, 192645

Existing Use: This site is currently undeveloped.

(10)

Development History:

This site is part of the North Grove Planned Development District and falls under Ordinance No. 2733 which was signed on March 3, 2014. This site was also previously preliminarily platted as PP-17-0171. However, this plat did expire on May 7, 2018. As of the time of this report, no physical development has been made to the property.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Residential
East	SF-2	Residential
South	North Grove PD Zoning	Residential SE/Undeveloped
West	SF-2 and PD-SF-2	Residential

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 subdivision will be accessible from Grove Creek Rd., Lacy Oak Ln, and North Grove Blvd.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The purpose of this request is to develop a new single family subdivision. Per the Planned Development Ordinance No. 2733, a "valid site plan shall be required prior to the approval of any plat or construction plan and permit for development within the Single-Family Residential and Mixed Use Districts."

Proposed Use:

The applicant is proposing to develop a new subdivision with 618 single-family homes on 213.46 acres largely located adjacent to and south of Grove Creek Rd. This subdivision will have an Amenity Center complete with a pool (with accompanying children's pool area) and playground, a Community park with a playground, and natural trails to allow for hiking within the subdivision.

(10)

Table 1: Development Standards

Standards	North Grove PD	Previously Approved Preliminary Plat	Proposed Dove Hollow Site Plan
Min. Lot Area	4,500 s.f.	6,000 s.f.	6,000 s.f.
Min. Lot Width	40'	50'	50'
Min. Lot Depth	100'	120'	120'
Min. Front Yard Setback	20'	15'	20'
Min Side Yard Setback	5'	5'	5'
Min. Street Side Yard Setback	15'	15'	15'

Table 2: Preliminary Plat vs. Proposed Site Plan

Lot Count by Area	Previously Approved Preliminary Plat (Lot Dimensions)	Proposed Dove Hollow Site Plan (Lot Dimensions)
- 6,000 s.f.	192 lots (50' x 120')	195 lots (50' x 120')
- 7,200 s.f.	90 lots (60' x 120')	368 lots (60' x 120')
- 7,440 s.f.	151 lots (62' x 120')	N/A
- 8,400 s.f.	N/A	25 lots (70' x 120')
- 8,750 s.f.	96 lots (70' x 125')	N/A
- 9,600 s.f.	N/A	30 lots (80' x 120')
- 10,625 s.f.	114 lots (85' x 125')	N/A
Total Residential Lot Count	653 lots	618 lots
Amenity Center (Acreage)	1.4 Acres	1.6 Acres
Green Space	37.2 Acres	49.6 Acres

Additional Note:

The previously approved preliminary plat shows Vista Way extending to the West and running through a piece of property owned by Star Peach Texas LP. This extension reduced the amount of connectivity within the proposed subdivision. The proposed site plan has addressed this by maintaining a more North/South direction for Vista Way that keeps all proposed streets contained within the subdivision. The developer has also dedicated more Right-of-Way (130 ft. ROW dedication) along the north side of the subdivision. This dedication will allow for the future construction of a new Grove Creek Rd. The existing Grove Creek Rd. will be turned into a slip street. This would alleviate the traffic in front of homes fronting what is currently Grove Creek Rd. The applicant also intends to install and maintain landscaping up to the existing roadway until the city takes over.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 70 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PON RESPONSES

Staff received one (1) letter of opposition for the proposed development.

(6)

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff 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. A mutually agreed upon Development Agreement will be needed for this subdivision.

ATTACHED EXHIBITS

1. Site Plan
2. Conceptual Landscape Plan/Conceptual Trail Amenity
3. Conceptual Amenity Center Plan
4. Conceptual Community Park Plan
5. Dove Hollow Development Agreement
6. North Grove PD
7. Property Owner Notification Responses

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can submit civil drawings to the Public Works Department for review.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

(b)

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
150714	PITTS JOHN M	101 BARBARA WAY	WAXAHACHIE	TX	75185
150719	FARMER JUSTIN R C	102 BARBARA WAY	WAXAHACHIE	TX	75185
150720	FARMER CLOYCE R & KAREN D	104 BARBARA WAY	WAXAHACHIE	TX	75185
154384	YOUNGBLOOD JOHN T	104 ROYAL PARK LN	WAXAHACHIE	TX	75185
150712	GUEST TIM & SHEILA	108 BARBARA WAY	WAXAHACHIE	TX	75185
154383	MOTT MICHAEL S & LISA D	108 ROYAL PARK LN	WAXAHACHIE	TX	75185
150713	LUNA LIBORIO & LUNA MARIA	110 BARBARA WAY	WAXAHACHIE	TX	75185
150794	LUNA ROBERTO	112 BARBARA WAY	WAXAHACHIE	TX	75185
150795	CAMARILLO SAM H & MINGA G	114 BARBARA WAY	WAXAHACHIE	TX	75185
150796	CAMARILLO JOE	116 BARBARA WAY	WAXAHACHIE	TX	75185
150787	BALTRIP CYNTHIA	118 BARBARA WAY	WAXAHACHIE	TX	75185
150788	WILSFORD PATSY L	120 BARBARA WAY	WAXAHACHIE	TX	75185
150789	SMITH JANE C	122 BARBARA WAY	WAXAHACHIE	TX	75185
150790	MONREAL JOHN P	124 BARBARA WAY	WAXAHACHIE	TX	75185
150791	SAENZ JOSE ANGEL	126 BARBARA WAY	WAXAHACHIE	TX	75185
208088	DE PAZ ESTRADA CARI P	126 BROOKBEND DR	WAXAHACHIE	TX	75185
241668	EVANS KEITH & SCHIMMEL EMILY	133 ALTHEA DR	WAXAHACHIE	TX	75185
241632	BULLARD BRYAN & REBECCA	134 ALTHEA DR	WAXAHACHIE	TX	75185
208206	WOLFORD CHARLES M II & DIANE L	135 BROOKBEND DR	WAXAHACHIE	TX	75185
241633	HUDSPETH WALTER J & DEBORAH F	135 LACY OAK LN	WAXAHACHIE	TX	75185
241667	BARNES ALAN & CYNTHIA	136 HOLLY ST	WAXAHACHIE	TX	75185
193725	MATA JAVIER & PITTS JOHN	168 ROBINETT RD	WAXAHACHIE	TX	75185
193726	MATA JAVIER & PITTS JOHN	168 ROBINETT RD	WAXAHACHIE	TX	75185
193727	MATA JAVIER & PITTS JOHN	168 ROBINETT RD	WAXAHACHIE	TX	75185
193728	MATA JAVIER & PITTS JOHN	168 ROBINETT RD	WAXAHACHIE	TX	75185
150718	MATA GLORIA	168 ROBINETTE RD	WAXAHACHIE	TX	75185
189389	HAMMOND DEANNA A	178 ROYAL PARK LN	WAXAHACHIE	TX	75185
241596	RUIZ JUDITH & DANNY	202 LACY OAK LN	WAXAHACHIE	TX	75185
241743	HANSEN TREVOR K & DANIELLE P	203 LACY OAK LN	WAXAHACHIE	TX	75185
241595	ROBERTSON BOBBY JR & LAQUANDRA	204 LACY OAK LN	WAXAHACHIE	TX	75185
241729	PROFFITT ASHLEY & TYSON R PROFFITT	2202 ABELA DR	WAXAHACHIE	TX	75185
241728	COOK CLEARTHUR JR	2204 ABELA DR	WAXAHACHIE	TX	75185
241727	DEFRANK MICHAEL B & BRITTANY	2208 ABELA DR	WAXAHACHIE	TX	75185
241726	GENSLER LARRY D & ROSALINDA G	2208 ABELA DR	WAXAHACHIE	TX	75185
241725	KAMPS STACIE LYNN & KENNY	2210 ABELA DR	WAXAHACHIE	TX	75185
241723	ASHCRAFT WILLIAM T & RICCA E	2214 ABELA DR	WAXAHACHIE	TX	75185
241722	DALLALIO JORDAN & HANNAH J	2216 ABELA DR	WAXAHACHIE	TX	75185
241721	SHIERY MATTHEW	2218 ABELA DR	WAXAHACHIE	TX	75185
241710	HERRON DAN A & DENISE	2219 ABELA DR	WAXAHACHIE	TX	75185
241720	OLIVERA WALLACE C & JULIE TREADAWAY	2220 ABELA DR	WAXAHACHIE	TX	75185
241711	LAPINSKI GLENN A & DEBBIE J	2221 ABELA DR	WAXAHACHIE	TX	75185
241719	CHELWICK JENNIFER J	2222 ABELA DR	WAXAHACHIE	TX	75185
241712	SHERBURNE RICHARD J	2223 ABELA DR	WAXAHACHIE	TX	75185
241717	BROWN GREGORY S & MELISSA	2226 ABELA DR	WAXAHACHIE	TX	75185
241716	VINEYARD BRENT & NORMA	2228 ABELA DR	WAXAHACHIE	TX	75185
241715	VENT BRIAN A & CLAUDIA	2230 ABELA DR	WAXAHACHIE	TX	75185
241718	MURL E MCMAHAN JR ETAL	302 STONECREST DR	ROCKWALL	TX	75087
189302	STAR PEACH TEXAS LP	3710 BEVERLY LN	ARLINGTON	TX	76015
154382	DUNIGAN ROBERT J	3739 BROADWAY	GROVE CITY	OH	43123
223474	KELLY ROBIN D	4480 SHILOH RD	MIDLOTHIAN	TX	76065
192636	CEH 212 LP	4801 W LOVERS LN	DALLAS	TX	75209
192639	CEH 212 LP	4801 W LOVERS LN	DALLAS	TX	75209
192643	CEH 212 LP	4801 W LOVERS LN	DALLAS	TX	75209
192645	CEH 212 LP	4801 W LOVERS LN	DALLAS	TX	75209
206205	KIRBY KAREN D	606 GROVE CREEK RD	WAXAHACHIE	TX	75185
206204	MALLET JEFFERY L & NEREYDA N	618 GROVE CREEK RD	WAXAHACHIE	TX	75185
206203	WILLOUGHBY MONTE L & TAMMY S	624 GROVE CREEK RD	WAXAHACHIE	TX	75185
206213	POTTER ERIC K & HOLLY C	632 GROVE CREEK RD	WAXAHACHIE	TX	75185
216229	MILLER ASHLEA P & MARK A	640 GROVE CREEK RD	WAXAHACHIE	TX	75185
216238	SMITH HOLLIS E & JEANNA P	648 GROVE CREEK RD	WAXAHACHIE	TX	75185
216237	HAGLER BENTON L & LADONNA G	656 GROVE CREEK RD	WAXAHACHIE	TX	75185
216235	GORMAN BOB A & SANDRA K	672 GROVE CREEK RD	WAXAHACHIE	TX	75185
216234	ROGERS MICHAEL & DARLENE REVOCABLE LIVING TRUST MICHAEL & DARLENE ROGERS TRUSTEES	680 GROVE CREEK RD	WAXAHACHIE	TX	75185
182824	FISHER RICHARD M	803 PANAMA CT	GRANBURY	TX	76048
150711	MC NEELY MARY J TAYLOR & WILLIAM O	P O BOX 14	WAXAHACHIE	TX	75188
179059	JHDMC LLC	PO BOX 2829	RED OAK	TX	75154
262133	JHDMC LLC	PO BOX 2829	RED OAK	TX	75154
267119	JHDMC LLC	PO BOX 2829	RED OAK	TX	75154
267116	ARBORS WG DEVELOPMENT LLC	PO BOX 717	WAXAHACHIE	TX	75188

(U)

Case Number: SUB-000075-2020

City Reference: 206207

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, June 3, 2020** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Too much building, too fast. Highway 77 is already congested. Grove Creek Road can't accomodate more speeders, already a huge problem.

Melissa Cooper
Signature

5/27/2020
Date

Melissa Cooper
Printed Name and Title

110 Brookbend Dr.
Address

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

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

STATE OF TEXAS §
 §
 COUNTY OF ELLIS §

**DEVELOPMENT AGREEMENT
 FOR DOVE HOLLOW**

This Development Agreement for Dove Hollow ("**Agreement**") is entered into between CEH 212, LP, a Texas limited partnership ("**Developer**"), and the City of Waxahachie, Texas ("**City**"). Developer and the City are sometimes referred herein together as the "**Parties**" and individually as a "**Party**."

Recitals:

1. CEH 212, LP is the owner of approximately 213.46± acres of real property generally located adjacent to and South of Grove Creek Rd., Property ID Number: 192636, 192643, 192639, 192645, in the City of Waxahachie, Texas (the "**Property**"), for which it has requested a Site Plan ("**SP**") to allow for development of a subdivision. The property is currently zoned Planned Development-Single Family-1, Planned Development-Single Family-2, Planned Development-Single Family 3, Planned Development-Multi Family-1, and Planned Development-General Retail by the City (Ordinance No. 2733, together with amendment Ordinance No. 2841 and 2870, hereinafter collectively referred to as the "PD Ordinance"), and is anticipated to have a Site Plan reviewed on August 3, 2020.

2. The planned use of the Property is to create a 631 lot (618 Single Family lots/13 HOA lots) subdivision within the existing Planned Development zoning district. As noted in the Section XI.A of the PD Ordinance, the purpose of the SP is to ensure compliance with the PD standards and all applicable development regulations and any previously approved, valid plans affecting development of the Property, coordinate and document the design of public and private improvements to be constructed, and coordinate the subdivision of land. Also, per Section XI.A of the PD Ordinance, the submission of this SP shall serve to vest the rights of this development.

3. As is reflected by the public records of the City, significant discussions and negotiations between Developer and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of development standards to be reflected in the detailed **Dove Hollow SP Packet**.

4. This Agreement seeks to incorporate the negotiated and agreed upon development standards as contractually-binding obligations between the City and Developer, and to recognize Developer's reasonable investment-backed expectations in the Dove Hollow SP Packet.

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

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

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

Section 3. Agreements. The Parties hereby agree as follows:

Incorporation of Development Standards and Recognition of Investment-Backed Expectations. The negotiated and agreed upon development standards contained in the Dove Hollow SP Packet, which incorporate by reference the PD Ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of Developer.

1. Developer agrees to:

(a) Dedicate 110' to 130' of right-of-way width for future expansion/construction of Grove Creek Road along the northern boundary of Dove Hollow. Notwithstanding the foregoing, Developer will not be required to construct or improve any section of Grove Creek Road, within or outside the limits of the Dove Hollow development, unless a traffic impact analysis (TIA) indicates offsite improvements are required. The right-of-way dedication will occur the earlier of either: (a) recording of the final plat for the residential phase adjacent to this frontage or (b) the City provides written notification to Developer that the City has approved a construction contract to commence the Grove Creek Road improvements within the right-of-way dedication area. Such dedication shall occur by way of separate instrument and shall occur within 15 business days following receipt of such written notice to Developer from the City. The Developer shall be eligible for roadway impact fee credits associated with the additional right-of-way dedication in excess of fifty-five feet (55').

(b) Provide material for the playground surface; provided, gravel is prohibited as a surface material.

(c) Install walking trails within the green belt/open space areas as shown in the Dove Hollow SP Packet that consist of concrete entry points with a transition to native trail.

(d) Construct all residential homes using at least 80% masonry exterior (in total, not limited to any particular building front, side(s) or rear). Masonry is defined as brick or stone only.

(e) Construct all accessory structures of 500 square feet or larger in size adhering to the same exterior material requirements as the primary residential home.

(f) Construct the 16" Water Main within the Vista Way right-of-way from North Grove Blvd to the Northwest corner of Dove Hollow (within Grove Creek Road right-of-way dedication area). Developer is eligible to receive a credit of water impact fees in the subdivision (or City reimbursement) in the

amount equal to the difference between the total actual cost to construct the Vista Way 16" Water Main and a 12" Water Main (the "Oversizing Contribution"). The City agrees the details of the Oversizing Contribution will be included as part of a separate developer agreement to be completed as part of the final design of the water main which may include the pro-rata cost share that could be required from future development(s) that connect to the water main. The Developer may install the Vista Way 16" Water Main in phases, generally following the proposed phasing for residential development within the subdivision.

(g) Construct Vista Way during the first phase of the development that provides connection to North Grove Blvd, but does not extend or connect to Grove Creek Rd. A connection between Vista Way and Grove Creek Road shall not be established until the final phase of construction of the development, unless dictated by the TIA. The roadway section of Vista Way being constructed with this development may be eligible for roadway impact fee credits, subject to the impacts or requirements outlined in a TIA to serve the Dove Hollow development. The City agrees the details of any eligible roadway impact fee credits will be included as part of a separate developer agreement to be completed as part of the final design of this roadway.

(h) Establish a homeowners' association (the "Association") prior to completion of the first phase that will be responsible for the general maintenance of all HOA lots within the subdivision. The restrictive covenants that are recorded against the Property by Developer shall require the Association to perform the following:

(i) provide for the general maintenance of all HOA lots within the subdivision. The area(s) within HOA lots that include or are defined by natural watercourses, floodplain, floodway and/or drainage easements are allowed to remain in a natural vegetative state and shall only be required to have maintenance checks performed by (or on behalf of) the Association on an annual basis.

(ii) maintain all trails, sidewalks (within platted HOA lots), pools, playgrounds and other private improvements that have not explicitly been stated as being wholly owned by the City.

(iii) temporarily maintain the right-of-way dedication area (as shown on the site plan), up to the south edge of the existing Grove Creek Road asphalt street section, in a condition equal to or better than exists as of the Effective Date of this Agreement; provided, the Association is expressly not required to maintain any portion of Grove Creek Road that is north of the existing asphalt street section, nor the existing asphalt street section itself. The Association's temporary maintenance obligation shall automatically expire at such time as the City commences construction of the future Grove Creek Road improvements within the dedicated right-of-way. Neither Developer nor the Association is required to improve the right-of-way (i.e. hardscape, landscape, irrigation, other) at any time

during the temporary maintenance period, nor as part of any phase of residential development that is adjacent to the right-of-way dedication area if Grove Creek Road is not constructed. Once Grove Creek Road improvements are constructed by the City, the Association shall maintain the turf/landscape parkway between the back of curb and right-of-way line on the south side of Grove Creek Road (only) within the limits of Developer's platted frontage.

The development shall conform as approved by the City Council under case number SP-75-2020.

2. In consideration of Developer's agreements set forth herein, the City hereby acknowledges that Developer has reasonable investment-backed expectations in the Dove Hollow SP Packet, and agrees not to unilaterally change the development standards contained in the Dove Hollow SP Packet or otherwise impact Developer's reasonable investment-backed expectations.

Section 4. Miscellaneous.

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

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

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

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

cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

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

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

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

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

(i) This Agreement may be only amended or altered by written instrument signed by the Parties.

(j) The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

(k) This Agreement shall inure to the benefit of and be binding on the Parties hereto and their respective heirs, devisees, legal representatives, successors, and assigns. Developer shall not assign this Agreement to any entity without the City's prior written consent, which consent will not be unreasonably withheld. Notwithstanding the foregoing, Developer may, with notice to City but without obtaining City's prior written consent, assign its rights under this Agreement to GRBK Edgewood LLC, a Texas limited liability or an entity which controls, is controlled by, or is under common control with GRBK Edgewood LLC. Upon any such assignment under this subsection (k), then such assigning party shall be relieved of all obligations and liabilities under this Agreement.

(l) This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

(m) This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon Developer and all of his heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this

(8)

Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

{Signature Pages Follow}

(8)

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

CITY:

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

DEVELOPER:

CEH 212 LP,
a Texas limited partnership

By: CEH 212 GP, LLC,
a Texas limited liability company,
General Partner

By: _____
Name: _____ Title: _____

Date: _____

(8)

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, 2020, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, 2020, personally appeared _____, _____, of CEH 212 GP, LLC, a Texas limited liability company, the general partner of CEH 212, LP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

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1. **Identify the problem.** The problem is that the company is not meeting its sales targets.

2. **Analyze the problem.** The problem is caused by a combination of factors, including a weak marketing strategy, poor timing of the product launch, and a lack of competitive pricing.

3. **Develop a solution.** The solution is to implement a new marketing strategy, improve the timing of the product launch, and offer competitive pricing.

4. **Implement the solution.** The solution is implemented by launching a new marketing campaign, improving the timing of the product launch, and offering competitive pricing.

5. **Evaluate the solution.** The solution is evaluated by monitoring sales performance and customer feedback.

[illegible]

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City of Wauahatchie, Texas



CODY JOHNSON
s-t-u-d-i-o

(8)



LEGEND

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- LOT 95 - 100' x 100'
- LOT 96 - 100' x 100'
- LOT 97 - 100' x 100'
- LOT 98 - 100' x 100'
- LOT 99 - 100' x 100'
- LOT 100 - 100' x 100'

DOVE HOLLOW
 CITY CASE NUMBER SP 75-2020
 213.48 CROSS ACRES
 LOCATED IN THE
 ANNE HUNT QUINCY ABSTRACT NO. 31.03
 CITY OF WASHINGTON, OKLAHOMA COUNTY, TEXAS
 631 BRADLEY FAMILY LOTS
 12104 LOTS
 AUG 8, 2020

KFM
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[illegible]**PARLIAMENT GROUP**

DOVE HOLLOW

SITE PLAN



NAME _____
ADDRESS _____
CITY _____ **STATE** _____ **ZIP** _____
PHONE _____
E-MAIL _____

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LEGEND

- ① CYCLING AND/OR STROLLER PATH (10' WIDE)
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DOVE HOLLOW / CONCEPTUAL COMMUNITY PARK PLAN

City of Watahachie, Texas

CODY JOHNSON studio

ORDINANCE NO. 2733

AN ORDINANCE CHANGING THE ZONING ON APPROXIMATELY 749 ACRES OF LAND IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, DESCRIBED IN EXHIBIT "B", FROM SINGLE FAMILY-1 (SF-1) TO A FREE STANDING PLANNED DEVELOPMENT-MIXED USE COMMUNITY, INCLUDING SINGLE FAMILY 1, 2 AND 3, MULTIPLE FAMILY-1, AND GENERAL RETAIL USES AS DESCRIBED IN EXHIBIT "A", AS A "FREE STANDING" PD DISTRICT, 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, proper notification for the change of zoning 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 rezoning thereto from Single Family-1 (SF-1) to Planned Development-Mixed Use Community, including Single Family 1, 2, and 3, Multiple Family-1, and General Retail uses as described in the attached Exhibit "A" titled "North Grove Planned Development District Standards", attached hereto and made a part hereof, under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinance; 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 rezoning from Single Family-1 (SF-1) to Planned Development-Mixed Use Community, including Single Family 1, 2, and 3, Multiple Family-1, and General Retail uses, as described in the attached Exhibit "A" titled "North Grove Planned Development District Standards", attached hereto and made a part hereof, all under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinances;

NOW, THEREFORE, the following described properties be, and the same hereby are, rezoned as follows:

The property is described in Exhibit "B" in a tract totaling approximately 749 acres, and is rezoned to Planned Development-Mixed Use Community, including Single Family 1, 2, and 3, Multiple Family-1, and General Retail uses, as described in the attached Exhibit "A" titled "North Grove Planned Development District Standards", attached hereto and made a part hereof, all under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinances.

The City of Waxahachie zoning ordinance will apply and control in any situation where the Planned Development provisions of this ordinance do not cover the subject matter clearly and fully.

The uses allowed and all other provisions are as set out in Exhibit "A", and the PD-SF1, PD-SF2, PD-SF-3, Multiple Family-1, and PD-GR uses allowed are controlled by the "Free Standing" North Grove Planned Development District standards which are attached hereto and made a part hereof.

This planned development district is passed under the "Free-Standing" PD provisions of Section 31 of the zoning ordinance.


The zoning districts are as provided in Exhibit "A" and allowable uses are as provided in Exhibit "A", attached hereto.

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 3rd day of March, 2014.




MAYOR

ATTEST:


Assistant City Secretary

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EXHIBIT "A"

North Grove

Planned Development District Standards



November 13, 2013
Revised February 25, 2014

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Freestanding Planned Development District Standards

SECTION I. Purpose and Intent

North Grove is a mixed-use community purposefully designed to facilitate quality development and livability. North Grove has been designed with generous common open space that has been distributed throughout the community in the form of natural areas, parks, squares, greens, circles and schoolyards. Homes and businesses are encouraged to front on these open spaces that will result in a significantly more valuable tax base, while creating a more open environment.

North Grove will offer a variety of residential products that will provide a broad range of distinctive and varied home sites. Additionally, a combination of tree-lined streets and wide sidewalks will foster a pedestrian-friendly atmosphere in North Grove.

The North Grove Development Plan delineates the general framework of boundaries for several districts and indicates general land uses, but is intended to be flexible to adapt to changing market demand. The indicated land uses herein shall follow the maximum land use acreage defined in "SECTION IV. Allocation of Land Uses" on page 5. These regulations will apply to all of the land shown on the North Grove Development Plan unless indicated otherwise. Housing mix for any particular area shall be controlled by the regulations applicable to the pertinent districts delineated on the Development Plan. All development within this district shall follow the "Exhibit C – North Grove Development Plan" unless approved by the City.

SECTION II. Definitions

For the purposes of these regulations, the definitions and rules of construction found in Section 2200 of the City of Waxahachie's Zoning Ordinance, apply to development in North Grove. The terms defined below are specific to North Grove.

1. **Bufferyards:** means an open space area reserved for landscaping along major roads as required by the City, and preventing a lot from having double frontage.
2. **Civic:** means sites that are dedicated for buildings generally operated by not-for-profit organizations dedicated to culture, education, government, or municipal, or for a use approved by the City.
3. **Condominium:** means residential dwelling located in a multi-story building in the Mixed Use Districts that allows the individual ownership of each residence, based on a legal description of the airspace the residence actually occupies, plus an undivided interest in the ownership of the common elements, which are owned jointly with the other condominium owners.
4. **District:** means a geographic area located within the development and intended for the land use specified. A map of the proposed land uses within North Grove can be found on "Exhibit C – North Grove Development Plan" on page 27.
5. **Flag Lot:** means a generally square parcel of land that is accessible only by a long narrow strip leading from a public street.
6. **Live/Work Dwelling:** means an attached or detached dwelling unit on an individual lot that contains a commercial component on the ground floor, either office or retail, and residential use on the upper floors.

7. **Loft:** means a residential dwelling, located in a multi-story building in the Mixed Use areas of North Grove, not partitioned into rooms, except for the bathroom area.
8. **Office, Flex:** means an office that is constructed in a manner that allows for larger floor areas and may include bay doors.
9. **Porch:** means a structure attached to the front of a residential building which forms a covered entrance and has a minimum area of 60 square feet and a minimum of six (6) feet of depth.

SECTION III. Applicability and Rules of Development

1. For the purposes of these regulations, the definitions and rules of all sections not discussed within this Planned Development shall follow those found in the City of Waxahachie's Zoning Ordinance, Subdivision Ordinance, and Parkland Ordinance as of the adoption date of this ordinance are otherwise grand-fathered in from any future amendments thereof, apply to development in North Grove.
2. All development on land located within the boundaries of North Grove must adhere to the rules and regulations set forth in these Planned Development District Standards. The development will be in complete accordance with the provisions of the approved Planned Development District and all Development Plans recorded hereunder shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.
3. Except as provided by these Planned Development District Standards, development within these boundaries are governed by the applicable City regulations. In the event of any conflict or inconsistency between these Planned Development District Standards and the applicable City regulations, the terms and provisions of these Planned Development District Standards shall control.

SECTION IV. Allocation of Land Uses

The final land use allocation in North Grove must adhere to the following:

Land Use / Zoning Exhibit	Label	Max Area/AC	% of Total Area
Civic***	C	27.0	3.5%
Mixed Use***	MU	30.0	3.9%
Parks / Community Green**	P	104.9	13.7%
Single-Family Residential	R	567.2	74.2%

Total North Grove Acreage = +/- 764 ac. Development intent is for any increase in one land use to result in a commensurate decrease in another, within the maximum acreage limit noted above.

SECTION V. Zoning Districts

A. Civic District (C)

The Civic District is intended to provide a location for not-for-profit organizations dedicated to culture, education, government, educational, or municipal, or for a use approved by the City. Civic can be located in any zoning district within the Development Plan.

B. Mixed Use District (MU)

The Mixed Use District will serve the North Grove and is also intended for destination retail opportunities. Mixed Use District will accommodate retail, commercial, service, office and residential uses. This district should have pedestrian access to adjacent residential areas.

C. Parks / Community Green District (P)

Area's designated on "Exhibit F – Open Space and Trails Plan" on page 34 as Parks, whether public or private, or Community Green shall be used for recreational use or preservation of open space and shall count toward the required Parkland dedication required herein.

D. Single-Family Residential District (R)

The Single-Family Residential District is intended for all single-family residential product types shown in Section VII and X.

SECTION VI. Permitted Uses**A. Land Uses**

Only uses listed in the Permitted Use table below are permitted in the Civic and/or Mixed Use districts in North Grove. If there is a question as to whether a use not listed below is permitted, the City Council shall make a determination whether the use is permitted or prohibited. The letter "P" in the district column opposite the listed permitted use means that the use is permitted as a use of right in that district, subject to compliance with the requirements specified in the Special Conditions section following. The letter "L" in the district column opposite the permitted use means the use is a limited use in that district, subject to compliance with the requirements specified in the Special Conditions section following. As indicated in the Permitted Use Table, all Single-Family Residential Product Types depicted in "SECTION VII. Area and Height Regulations" on page 8 shall be allowed anywhere within the Single-Family Residential District (R).

B. Permitted Use Table

Permitted Uses	Districts	
	Civic (C)	Mixed Use (MU)
Accessory building, structure or use	L	L
Accessory dwelling unit		
Art Gallery	P	P
Artist Studio	P	P
Assisted Living Residence		P
Bakeries, retail sales on premises only		P
Banks and financial institutions without drive-through facilities		
Barber shops and beauty shops		P
Civic and public buildings	P	P

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Permitted Uses	Districts	
Commercial amusement (indoor)		P
Computer programming services and software sales		P
Condominium		P
Day care centers and day nurseries	P	P
Gas Station		
General retail uses		P
General Service Uses		P
Government uses	P	P
Health club or gym	P	P
Hotel		P
Industrial		
Laundering and dry cleaning pickup shops		P
Live/Work Product		P
Loft		P
Multi-Family Residential		L
Office Flex		
Offices, professional and business		P
Oil or gas drilling		
Parks	P	P
Private recreation facility	P	P
Professional Services		P
Religious institutions	P	P
Residential Estate Product		
Residential Manor Product		
Residential Township Product		
Residential Village Product		
Residential Cottage Product		
Restaurants with drive-through facilities		
Restaurants without drive-through facilities		P
Schools	P	
Theatre	P	P
Veterinarian without outside runs		

Special Conditions

1 - Residential uses are allowed to have accessory buildings provided they comply with the City of Waxahachie's Zoning Ordinance. Accessory buildings over five-hundred (500) square feet in the residential districts for Single-Family Residential products are required to use the same materials, architectural style or design of the principal structure.

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Special Conditions

2 - For all non-residential districts described herein, accessory buildings must comply with the City of Waxahachie's Zoning Ordinance, and shall be designed to match the principal structure in construction materials, architectural styling and design in all other zoning districts described herein.

3 - Drive-through facilities are limited to uses in the Mixed Use District only. Drive-through facilities must be designed to match the principal structure in architectural styling and design, and must be screened from adjacent properties and public rights-of-way. In the Mixed Use District, drive-through facilities must follow the regulations of the City of Waxahachie's Zoning Ordinance.

SECTION VII. Area and Height Regulations

A. Single-Family Residential Product Table

Product Types**	Lot Classification (Density)	Maximum Percentage of Total Single-Family Dwelling Units	Minimum Lot Area	Minimum Lot Width	Alley Access	Minimum Attached Garage Door	Minimum Principal Building Front Setback	Porch Zone Setback (Optional)	Minimum Side Yard Setback	Minimum Street Side Yard Setback	Minimum Side Setbacks for Attached / Detached Garage (Alley Access)	Minimum Floor Areas	Maximum Structure Height	Minimum Percentage of Total Single-Family Dwelling Units	Porch Percentage Minimum
Estate	A (Low)	NA	9,600 sf	80'	N	28'	25'	15'	7'	20'	5'	2,400 sf	35'	10%	25%
Manor	A (Low)	NA	8,400 sf	70'	N	28'	25'	20'	5'	15'	5'	2,200 sf	35'	15%	25%
Township	B (Med)	40%	7,200 sf	60'	Y	23'	20'	10'	5'	15'	5'	2,000 sf	35'	20%	25%
Cottage	C (High)	20%	5,500 sf	50'	Y	NA	20'	10'	5'	15'	5'	1,800 sf	35'	10%	35%
Bungalow	C (High)	10%	4,500 sf	40'	Y	NA	20'	10'	5'	10'	5'	1,500 sf	35'	NA	50%

* Front access is prohibited on Multi-Family products.

** All development along Farm-to-Market 813 and Grove Creek Road shall set back at least 100' from the future right of way.

*** All homes with a three (3) foot garage setback can encroach into the rear yard setback by three (3) feet

**** Exception to Township Lot Type: For every one (1) Manor or Estate lot which is side-loaded rather than front-loaded, the developer may build one (1) front-loaded Township lot. This condition is applicable for up to forty (40) percent of the total Township lots for that particular development tract.

B. Other Area and Height Regulations

A. Mixed Use Development Regulations

1. Maximum Floor Area Ratio	5.0
2. Minimum Lot Area	2.5 ac.
3. Setbacks	---
(a) Front and side	None: shall build to property line
(b) Rear	None: shall build to property line
4. Lot Coverage	Min: 55% Max: 90%
5. Building Height	Min: 1 floor Max: 4 floors

Live/Work, Lofts and Condominiums must have a minimum floor area of at least 600 square feet. Apartments must follow the floor area requirements for the **MF-2** District in the City of Waxahachie's Zoning Ordinance.

SECTION VIII. Relationship to Subdivision Standards

Unless specifically addressed in these regulations, the Subdivision Regulations for the City of Waxahachie will govern the subdivision of land and construction of public improvements in North Grove.

SECTION IX. General Design Standards

A. General Single-Family Residential Planning Standards

- a. Only similar single-family residential products can face each other, unless separated by a common green.
- b. No residential lot may back up to local streets or parks unless geographic or circulation conditions prevent compliance with this requirement. Residential lots can back or side on to required buffer yards adjacent to Type-C Roadways or larger. (See "SECTION X: Single-Family Development Design Standards" on page 10 for standards).
- c. Radial and irregular shaped residential lots shall have a minimum lot frontage of forty-five (45) feet at the street right-of-way for all lot types except bungalow. Bungalows shall have a minimum of thirty-five (35) feet at the street right-of-way.

B. General Mixed Use Planning Standards

The following standards apply to development located in the Mixed Use District.

- a. Residential uses are allowed on the ground floor in the Mixed Use Districts, up to seventy-five (75) percent of the total building footprint.
- b. By approval of these Development Standards, the City of Waxahachie recognizes that there will be encroachments onto the sidewalk in the Mixed Use Districts. The encroachments can include, but are not limited to, seating, stoops, signs, awnings, landscaping balconies, bay windows, or

lights. Any encroachment into the sidewalk must be approved by the City to minimize any conflicts. Encroachments must be located so that at least six (6) feet of sidewalk remains unobstructed.

c. Awnings, canopies, upper story balconies, planters, trees and signs can encroach over the sidewalk provided a minimum nine (9) foot vertical clearance is provided.

C. Public Utilities

All public utilities in North Grove must comply with the City of Waxahachie's regulations, and any future amendments thereof. No structure shall encroach into any easement.

D. Transportation Network

A. Street Connectivity

1. For streets, block lengths shall not typically exceed 800 feet. With approval from the City Engineer, block breaks shall be determined by changes in direction, intersections, through block greenways, parks or open spaces.
2. Neighborhood access to open space must be accommodated in the design of the transportation network.
3. All sidewalks shall have a minimum width of five (5) feet, except in the Mixed Use Districts where sidewalks must have a width of at least ten (10) feet.

B. Intersections

1. Traffic Circles are allowed with approval of location and design by the City Engineer.
2. Design elements, which may be incorporated where feasible in the specific intersection design, include wide crosswalk striping, special paving treatments, and median "refuge islands," and sidewalk bulb-outs.
3. Asymmetric intersections may not exceed 15 degrees either direction of 90 degrees, and shall account for visibility triangles at all intersections with approval from the City Engineer.

E. Street Types

All public streets shall follow the standard street designs. Refer to "Exhibit E – Street Sections" on page 30.

SECTION X: Single-Family Development Design Standards

A. Density and Intensity

1. Preserve and incorporate natural amenities unique to the site such as topography, mature trees, water features, etc. into the project. The existing ponds, floodplain and easements will be incorporated into the development with the addition of amenities such as: hike and bike trails, playgrounds, open play fields and a mixture of homes that front, side or back to these areas.

2. Lot sizes and housing types will be varied to blend and average out densities and avoid homogeneous neighborhoods. All five lot types within the P.D. requirements will be used throughout the development and will create a variety of housing types.
3. Because of the size of the North Grove many smaller neighborhoods will be part of the entire community, within the community all neighborhoods will share all the amenities, open space and parks.
4. New development will respect the scale, proportion, and character of the surrounding areas. Avoid the physical disassociation of new neighborhoods to existing by eliminating walls and other physical separations and barriers, where appropriate on Farm-to-Market 813 and Grove Creek Road.
5. Higher densities involving mixed use will be proposed within close proximity to the core area of the property at the intersection of Brown Street and the future Type C arterial and highway 77 and intersection with Type-C Roadways or larger.
6. Lower densities, should be located toward the edge. At the edge of the community the residential street layout will make provisions to join future residential communities by making residential road connections or easements to future residential development.
7. A clear edge establishes the presence of the neighborhood, its beginning and end. Examples of good edges may be streets, open space, or creeks.
8. Open space areas will be located within approximately 1,500 feet from every dwelling in the new development. Open Space will be defined as any usable area fifty (50) feet in width.
9. The North Grove will provide a minimum of two acres of usable open space for every 100 residential lots within the development. This required open space will be located in the center of the development areas with lots fronting on all sides.

B. Lot Types and Products

1. Single family detached units will range from Bungalow Homes on small lots to Estates on larger lots.
2. Lot widths will be established based on the proposed product within the P.D., as defined in "SECTION VII. Area and Height Regulations" on page 8.
3. A mix of housing products will be used to meet different needs of owners, families, and styles. All five lot types within the P.D. requirements will be used throughout the development and will create a variety of housing types. A minimum of two (2) lot types must be used in development areas less than thirty-five (35) acres. In developments larger than thirty-five (35) acres, three (3) lot types are required.

C. Setbacks

1. Variation of building placement and lot development patterns are essential to achieve visual diversity and avoid monotony.
2. Placement of homes and garages at variable setbacks establishes different patterns of visible open spaces and creates a visually interesting streetscape.
3. Porches (non-auto related) will be allowed to be extended up to ten (10) additional feet into the front setbacks.

D. Model Characteristics

1. Each housing model will have at least three (3) characteristics which clearly and obviously distinguish it from other housing models, including different floor plans, exterior materials, and/or roof lines.
2. No building profile will be allowed on a house built on a lot that is within four (4) lots of a structure constructed with similar building elements that is located on the same side of street in-between intersecting streets.
3. A variety of decorative garage doors will be used throughout the neighborhood. Refer to "SECTION X: Single-Family Development Design Standards"/"M. Architecture" on page 17.
4. Other quality products will be proposed to include dimensional shingles instead of three tab shingles where appropriate; other tile and metal roofs suited to the home architecture; decorative columns and railings; varied patterns, style and type of materials; and architectural details (such as tile work and moldings) or accent materials integrated into the building façade.
5. No residential building will be built with similar aforementioned building elements and color pallet as one located directly across the street.

E. Streets

1. Minimum fifty-four (54) foot right-of-way with twenty-eight (28) feet of pavement is the standard residential street used throughout the city.
2. Streets will be of a minimum width to accommodate the street, median, planting strips, sidewalks, utilities and maintenance considerations
3. Street widths will be appropriate for adjacent land uses and building types, subject to approval by the City Engineer.
4. No residential development will be developed without sidewalks, pedestrian ways, neighborhood connections, trails and paths. All sidewalks in residential areas will be five (5) feet in width, with the Mixed Use all sidewalks will be ten (10) feet. The street will complement the distinctive character of the neighborhood or district while providing connections to adjoining neighborhoods.
5. Slip Roads and Mews can be used when fronting homes onto Type C roads or greater to reduce the number of drives that ingress and egress on the street while creating more depth to the front yards and separating the homes from the busy street.
6. Divided two-lane roadways with: eighty (80) foot ROW, twenty (20) foot pavement in each direction, curb-side parking will be permitted in residential neighborhoods providing a landscaped median.

F. Street Pattern

Residential streets are encouraged to be interconnected and have a "traditional grid."

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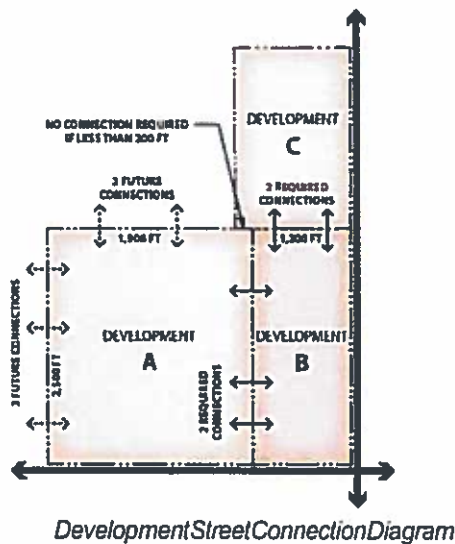


Seaside, FL



Kentlands, MD

1. Interconnected patterns are required to create walk-able neighborhoods. Development Pods must provide connections every six-hundred (600) feet based on a common property boundary.



2. Interconnected streets will be used to permit multiple routes to diffuse traffic and to shorten walking distances.

G. Block Length

Six hundred (600) to eight hundred (800) linear feet is an appropriate block length in most developments.

1. Exceptions may be needed due to topography, environmental protection preservation of cultural resources and similar considerations.
2. Cul de sacs are disallowed unless approved by the Planning Director due to geographic constraints.

H. Street Lighting

1. Oncor/TXU shall install and maintain neighborhood lighting. The standard pole of galvanized steel with a cobra head will not be acceptable within arterial and residential street.
2. The Philadelphia light pole supplied by Oncor will required.

I. Relationship of Buildings to the Street

1. Buildings will be oriented toward a public or private street
2. Create visual interest and variety, while maintaining a sense of harmony and property along street frontages and other portions of the project exposed to public view.
3. Buildings within the Mixed Use development will be placed closer to the street. All lots and sites will have pedestrian connections and the core area should be fully accessible to pedestrians.
4. Parking lots and garages shall not face the street in the Mixed Use area. Off-street parking will be located to the side or behind buildings but not in front of buildings or in such a manner as to interfere with pedestrian access in the Mixed Use area.

J. Perimeter Lot and Screening Treatment along Type C and Wider Thoroughfares.

1. This development is intended to create a roadway system that does not create walled off corridors which divides communities. The relationship between Type C and larger roadways with residential development will provide the following options:

i) Slip Streets - are allowed along Type C roads



Slip Street

Slip Street Example: Westchester of Carrier Pkwy in Grand Prairie, TX

ii) Loop Roads - are allowed with a collection of siding mews lots (attached greens).

(8)



Loop Roads Example

iii) Open Cul-de-sacs



Cul-de-sac Example McKinney, TX

2. Wall sections greater than fifty (50) feet in length will incorporate at least two of the following design features which are proportionate to the wall length:
 - i) A minimum 2 foot change in plane for at least 10 feet.
 - ii) Use of columns at 100 foot intervals.
 - iii) A minimum 4 foot high opaque fence with 2 – 4 foot of see through materials, not chain link.
3. Gates will be provided in walls or fences to allow emergency access and to facilitate convenient pedestrian access to activity areas and adjacent uses.
4. A wall(s) may be eliminated or sited to provide additional setback areas at project entries to accommodate distinctive landscaping, ornamental gateways, signage, and street furniture.
5. Walls will be curved or angled at corner locations to accommodate appropriate visibility and add variety.
6. Masonry fencing and walls will have a design life of 30 years. Additional information may be found

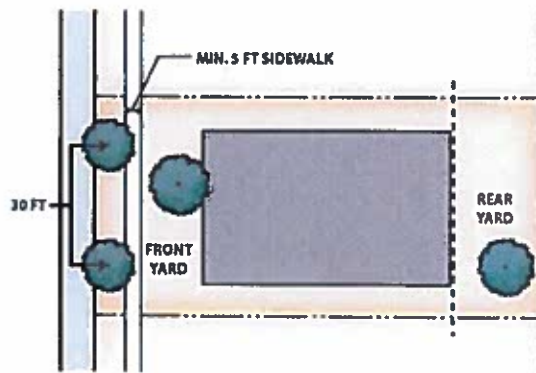
(8)

in the Construction, Zoning and Subdivision Ordinances.

K. Perimeter Walkways, Landscape and Common Area

1. Minimum 5' sidewalks along both sides of the street are required in all residential neighborhoods. Provide 8' on thoroughfares (Type C and larger).
2. The value of trees and landscaping will be recognized as important features that strongly influence the aesthetics and environmental quality of the city. In all residential neighborhoods one 3" caliper tree will be planted every 30' between the curb and sidewalk. In addition of 3" caliper yard tree will be planted in the front and rear yard.

Trees Which May Be Planted Adjacent to Streets		
Street Trees (Between Curb and Sidewalk)		
Bald Cypress	Lace Bark elm	Chinquapin Oak
Pond Cypress	Alle Elm	Shumard Oak
Cedar Elm	Chinese Pistachio	Burr Oak
Texas Red Oak	Urbanite Ash	Highrise Live Oak
Yard Trees (Between Sidewalk and Front Facade)		
Live Oak	Bald Cypress	Shumard Oak
Sweetgum	Texas Red Oak	Burr Oak
Cedar Elm	Chinquapin Oak	



Residential Tree Lot Diagram

3. Establish attractive, inviting, imaginative and functional site arrangement of buildings and parking areas, and a high quality of architectural and landscape design. Two (2) rows of landscape are required in front of all homes containing shrubs, ground cover or other landscaping elements. Builder will install a fully operational irrigation system in front and back yards.
4. Community amenities, parks and open space, landscaping, and perimeter screening will be implemented per phase of development, and shall be constructed as part of the subdivision improvements before subdivision acceptance by the City.

L. Trail Corridors

1. Trail Corridors will be provided throughout the development.
2. Trail Corridors must be continuous and make an overall complete connection as shown on the open space and trails plan.
3. Trail Corridors will be a minimum of twenty-five (25) feet wide.
4. All trails will be eight (8) feet in width.
5. Trail Corridors are encouraged to be placed in locations to preserve natural vegetation. If natural vegetation does not exist, three (3) inch caliper trees will be required thirty (30) feet on center.
6. Lots backing to the trail corridor will be required to install six (6) foot high black ornamental iron fence. No stockade fencing can be installed behind the ornamental iron fence within the residential yard.

M. Architecture

1. To avoid standards that promote sameness and stifle individuality, no use of the same brick masonry color, duplicate building elevation (front facades) and building profile will be allowed on a house built on a lot that is within four (4) lots of a structure constructed with similar building elements that is located on the same side of street in-between intersecting streets.
2. The arrangement of structures, circulation and open spaces will recognize the particular characteristics of the site and should relate to the surrounding built environment in pattern, function, scale, character and materials.
3. The primary roof structures shall have no less than an 8:12 pitch all single-family residential products. All secondary roof structures, (e.g. porches, verandas and similar architectural attachments) may be constructed at a pitch complementary to the primary roof structure for all single-family residential products.
 - a. Permitted roof materials will be limited to tile, slate or architectural composition shingles.
4. Garage & Driveways – Proper treatment of the garage is critical to create a sense of variety and quality.
 - a. All garage doors will be recessed a minimum of three (3) feet from the front building elevation; also they must have a minimum six (6) inch recess from the frame to create a shadow line.
 - b. Variation of the garage door style is required, based on three options stated below:
 - i. Metal doors with twelve (12) inch masonry columns, separating doors. Twenty-five (25) percent required per plat.



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ii. Decorative Wood or wood-like doors



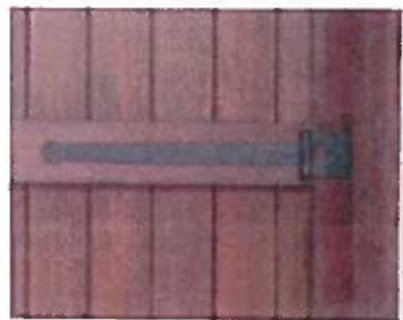
iii. Painted Metal doors to compliment house trim color with windows and custom metal straps, handles or pull. Paint colors or stains will be natural in color.



Garage Pulls



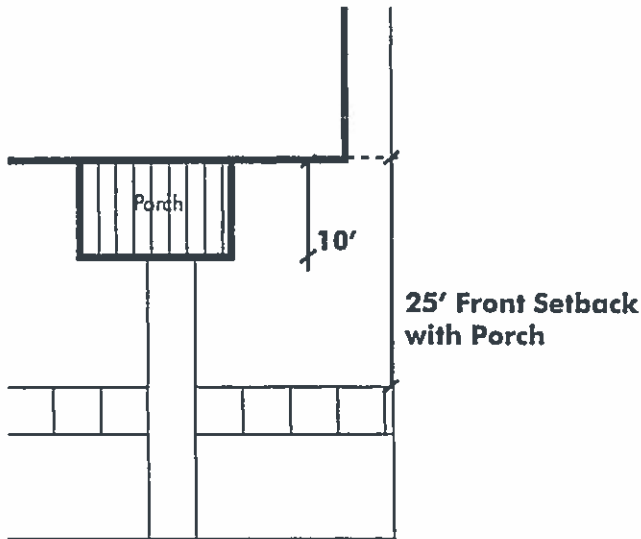
Garage Handles



Garage Metal Straps

- c. Variation in single garage door and double garage doors for the required two car garage will be provided throughout the community.
- d. Garage doors should not dominate the street scene. (No more than two (2) doors may be continuous.) If a third (3rd) garage door (stall or bay) is provided, it will be separated from the other doors by at least a twelve (12) inch brick column.
5. Windows and Doors – Front Doors will be constructed of high quality and long lasting materials that complement the architectural style of the home.

- a. Window and shutter placement shall be orderly and appropriate for the style
 - b. The following items are prohibited:
 - i. Mirrored glass or reflective film, exterior or interior tinting
 - ii. Aluminum frame doors and windows.
6. **Masonry Content** – all homes will be ninety (90) percent comprised of brick or stone.
7. **Non-masonry Content** - the additional ten (10) percent content will be considered based on the following:
- i. The architectural design and creativity of the dwelling units proposed.
 - ii. The quality and creativity of the overall development proposed
 - iii. Compatibility of the dwelling units proposed with the surrounding developed properties.
8. **Porches** – In order to create variety to the street and human scale porches will be allowed but with the following exceptions
- a. Porches can extend past the front yard setback by ten (10) feet.



- b. Porches will be required to be a minimum six (6) feet in depth and minimum sixty (60) square feet to ensure usability.

N. Home Owner Association

1. Where common items or areas are proposed, a property owners association will be created to enforce the restrictions of this ordinance at the expense of the property owners association.
2. Said association will also maintain required and/or common masonry screening walls, street landscaping, monument signage, irrigation, and other common areas of the development. H.O.A.'s are

required to pay for electricity and irrigation. Accounts should be established in those association names.

3. Accessory uses and/or buildings and parking or storage such as accessory or storage buildings, parking or storage of RV's or boats, parking on streets, are items that will be addressed in the deed restrictions.
4. Community facilities are encouraged within neighborhoods depending on anticipated activity levels of occupants. Trails, open space, access and linkages will be required adjacent to open space, parks, play grounds, schools, and retail.

O. Entry Features and Medians

1. Neighborhoods will be distinguished by entry and edge design features such as ornamental landscaping, open space areas, natural features, architectural monuments and enhanced paving.
2. Entry walls will be provided at the intersections of major thoroughfares and neighborhood entries. One wall should be provided per side of street.
3. Entry walls will be designed to turn into the neighborhood to avoid uncoordinated fences at all entry points.
4. Screening fences will be coordinated throughout the residential neighborhood. Screening will be made of cedar or redwood fencing, wrought iron and masonry walls; berms; landscaping or a combination of these elements.

P. Subdivision Name

Walls will have the name of the subdivision on it either attached or incorporated into the wall design. Repetitive design or signage is discouraged. Logos may be placed no closer than fifty (50) feet apart.

Q. Illuminated Walls

Up lighting will be provided to light any signage at night. Other lighting is encouraged for safety and to provide articulation of screening walls. Except for the sign walls, lighting may be directed downward. Lighting should be as required for safety but not obtrusive on neighbors or passing traffic.

R. Natural Drainage Corridors

1. Floodplains

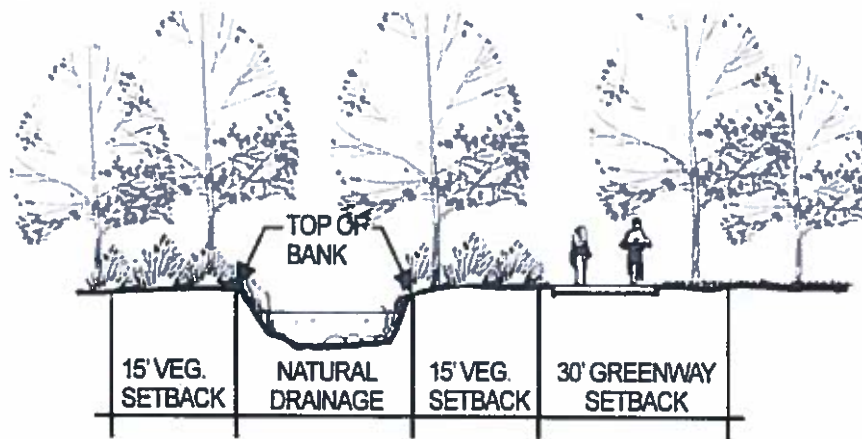
Floodplains may be modified to improve drainage, natural areas, green space, public space and development consistent with the standards and intent of the North Grove development regulations and shall meet the minimum standards outlined in the drainage criteria manual.

2. Natural Drainage

All drainage areas generally where feasible should be treated in a natural manner using materials such as stone and bioengineering techniques to achieve erosion control.

A vegetated buffer shall be established from the top of all creek banks. Non-noxious existing vegetation shall be preserved and can be supplemented with grasses, understory, and canopy trees to enhance bank stability and water quality. No impervious cover shall be allowed within the buffer other than what may be needed or required for engineering needs. Informal earthen footpaths and creek overlooks connected to a trail shall be allowed. Where public greenway trails are indicated on the Development tract

Development Plan, an additional greenway setback of a minimum 30 feet width and immediately adjacent to the vegetated buffer shall be established. Within the greenway setback, all canopy trees four (4) inch caliper or larger shall be preserved, ground shall be covered with grass or other vegetative cover, and impervious surfaces shall be limited to paved trails, trail rest areas and associated greenway amenities when approved by the Director of Planning.



S. Off-Street Parking

All development must comply with the City of Waxahachie's off-street parking requirements, except for the following:

- a. Head-in and parallel parking is allowed in the Mixed Use District. Location of head-in parking off of street right-of-way shall be dependant on a more detailed site plan review by City staff. Refer to "Exhibit D – Regional Thoroughfare Diagram & Thoroughfare Diagram" on page 28 for location of head-in and parallel parking.
- b. On-street parking can be counted towards the off-street parking requirement for nonresidential uses in Mixed Use District.
- c. To encourage pedestrian activity in Mixed Use District, the overall parking requirement for each nonresidential use is seventy-five (75) percent of the off-street parking requirement listed in the City's Zoning Ordinance. Residential uses in Mixed Use District must provide off-street parking as required by the City of Waxahachie's Zoning Ordinance.
- d. In Mixed Use District, required parking can be located on a separate lot, provided the parking area is no more than six-hundred (600) feet from the use it is serving.
- e. In Mixed Use District, shared parking can be used, provided a parking study is completed by the

developer to prove that the uses proposing to share parking spaces are truly complementary.

f. Tandem Parking, where one parking space is located directly behind an enclosed parking space, is only allowed in the Mixed Use District.

g. Vehicles may not be parked on or over sidewalks.

SECTION XI. Development Approval Process

The approved North Grove Development Plan will serve as the document that establishes general development patterns in North Grove.

A. Site Plan

The site plan is a detailed plan of the public and private improvements to be constructed. The purpose of the site plan is to ensure compliance with the P.D. Standards and all applicable development regulations and any previously approved, valid plans affecting development of the property, coordinate and document the design of public and private improvements to be constructed, and coordinate the subdivision of land. The submission of a Site Plan for City comment and review shall take the place of a Preliminary Plat.

A separate site plan will be submitted for all Cottage and Bungalow Product to be independently reviewed by the Planning and Zoning Commission and City Council. Development of this type must be designed and located to ensure that it is an asset that enhances the viability of the development but does not negatively impact property value or development alternatives on other areas surrounding the proposed site. The City will reserve the right to establish and impose architectural standards and requirements that ensure that the Cottage and Bungalow Product is a design asset to the completed development.

B. Applicability

An approved, valid site plan shall be required prior to the approval of any plat or construction plan and permit for development within Single-Family Residential and Mixed Use Districts.

C. Standards and Procedures for Approval

When application for site plan approval is made for development within the North Grove, the Director of Planning shall present the detailed site plan to the Planning and Zoning Commission for recommendation and the City Council for approval by a majority vote at one (1) meeting. For developments in the Single Family Residential District, after the approval of the first site plan, the Director of Planning may approve, conditionally approve or deny subsequent site plans based on the criteria listed below, or he may elect to present the site plan to the Planning and Zoning Commission and City Council for approval.

- a. Compliance with the regulations set forth in these P.D. Standards; and
- b. Compliance with applicable City Ordinances and any previously approved valid plans; and
- c. Appeals.

The applicant may appeal a decision of the Director of Planning to the Planning & Zoning Commission by filing a Notice of Appeal within ten (10) days following the date the Director of Planning notifies the applicant of his action. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The Planning & Zoning Commission may approve, conditionally approve or deny a site plan based upon the criteria listed above.

The decision of the Planning and Zoning Commission to approve or deny a site plan shall be final and binding unless an appeal of the decision is made to the City Council. The applicant may appeal the decision of the Commission with regard to a plan by filing a Notice of Appeal in the office of the Director of Planning, no later than ten (10) days after the date on which the Commission notifies the applicant of its decision. Such notification may take place by means of an oral ruling by the Commission at a public meeting. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The City Council shall consider the appeal at a public meeting no later than forty-five (45) days after the date on which the Notice of Appeal is filed. The City Council may affirm, modify, or reverse the decision of the Commission, where appropriate, remand the plan to the Commission for further proceedings consistent with City Council's decision.

D. Duration

The approval of a site plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the applicant must have submitted and received approval of engineering plans and/or building permits. Approved site plans shall be granted an extension beyond the original two (2) year effective period, with approval of Planning & Zoning and City Council, for up to an additional two (2) years if the developer applies for an extension before the expiration date and provides adequate proof to show they are in the process of development.

The Director of Planning, the Planning & Zoning Commission or the City Council may revoke approval of a site plan if it determines that the conditions of the approval have not been met, or if the plan contains or is based upon incorrect information which affects a significant health or safety interest.

SECTION XII. Site Plan Application Requirements

The following information shall be provided with applications for Site Plan approval:

1. A vicinity map locating the property in relationship to existing major thoroughfares.
2. Title block, preferably in lower right hand corner, including the following: "Site Plan, name of development, survey and abstract number or recorded plat information, city, county, state, date of preparation, acreage and lot data".
3. Acceptable scale: 1 in = 20 ft, 1 in = 40 ft, 1 in = 100 ft or as approved.
4. Type size is legible at full scale and when reduced.
5. North arrow, graphic and written scale in close proximity.
6. Name, address, phone and fax of owner/developer and the firm preparing the plan.
7. A map showing the boundaries of the different land uses and the boundary dimensions.
8. Adjacent or surrounding land uses and zoning, streets, drainage facilities and other existing or pro-

posed off site improvements, sufficient to demonstrate the relationship and compatibility of the site to the surrounding properties, uses and facilities.

9. The location and size of all streets, alleys, parking lots and parking spaces, loading areas or other areas to be used for vehicular traffic and the proposed access and connection to existing or proposed streets adjacent to the plan area. Include a chart indicating the number of required parking spaces by use, the method of calculation and the number of proposed parking spaces.
10. The types of surfacing, such as paving (e.g. concrete, brick, turf, etc.) to be used at the various locations.
11. The location and size of all fire lanes with all curb radii adjacent to the fire lane labeled. The nearest fire hydrant dimensioned to the property corner and all proposed fire hydrants.
12. The location, height, setbacks, dimension, floor area, and floor area ratio for all buildings. Include the following building details in the site plan:
 - a. Entrance and exits to the building.
 - b. Architectural renderings or elevations of proposed structures with all exterior materials for roofs, awnings, walls etc. labeled, shall be provided for retail, mixed use, and commercial areas only.
 - c. Calculations of the masonry content on each façade and in total for each building.
 - d. Storefront design.
13. Distance between buildings and distance from building to property lines.
14. The number, location, and dimensions of the lots; and the setbacks, number of dwelling units, and number of units per acre (density).
15. A graphic showing a typical lot layout, with size and setbacks.
16. The location, size and type of each outside facility for waste or trash disposal. If no facility is shown, provide a note indicating method of disposal and removal.
17. A tree survey locating all protected trees by type, size and species in a printed and electronic format, as required by the Planning Director, and mitigation plan, if required by the City of Waxahachie's Planning Director.
18. A landscape plan showing all on-site and perimeter landscape. A chart indicating the size, length and width of the landscape areas, with the required number of plants and the proposed number of plants should be included on the plan. The landscape plan may be presented on a separate exhibit on the same sheet size and at the same scale as the site plan.
19. A site plan shall include all private/public improvements, including but not limited to interior parks, landscape buffers, entries and trails for the given development phase encompassing such improvements.
20. The approximate location and size of any greenbelt or open space area, and if applicable, an open space management plan providing information on the ownership, maintenance and operation of such area.
21. The approximate location and size of required Parkland Dedication areas, as required by the City of

Waxahachie's Parkland Dedication and Development Fee Ordinance for residential development.

22. The location, type, and size of all fences, berms, or screening features.
23. A plan, including elevations, showing location, size, height, orientation and design of all signs, including community entry signage.
24. The location, size and type of all pedestrian areas, bike paths, sidewalks and associated streetscapes.
25. The location, size, type and purpose of any outside storage or outside display and method of screening. Indicate the percentage of outside storage as compared to the building square footage.
26. Phases of development should be shown and broken down by use and acreage.
27. The City Engineer may require a traffic impact analysis, water and sewer impact analysis, storm water management plan, and other studies, including all necessary modeling, to be submitted for review and approval. The intent is to determine the improvements that are needed to support the proposed development and to avoid overloading the existing or planned infrastructure.
28. The Director of Planning, may, during administrative approval of a Site Plan, require other information in addition to the requirements above in connection with the review of a Site Plan. Where a Site Plan is not approved administratively, the Planning and Zoning Commission or the City Council may require other information in addition to the requirements above in connection with the review of a Site Plan.
29. If applicable, show the following mandatory owners association notes:
 - a. A mandatory owners association will be responsible for the maintenance of the "insert list of private amenities and common areas here". (Example: screening fences, common areas, parks, amenity centers, landscaping)
 - b. The Owners Association and associated documents shall be filed in accordance with the Cities policies. The documents shall be filed with the final plat. The documents shall be submitted in a timely manner to allow for a minimum of sixty (60) days review. Failure to submit the documents or incomplete documents may result in delay of construction, acceptance of the development or delay in approval of a building permit. The City does not accept the responsibility for any delays caused by the failure to submit the association documents or the inaccuracy of the documents.

SECTION XIII. Parkland Dedication and Park Development Ordinance

All development in North Grove must comply with the cities Parkland Dedication and Park Development regulations found in the Parkland Ordinance, except that the open space dedication requirements in the Single Family Residential Districts will count towards any parkland dedication requirements not already shown on "Exhibit F – Open Space and Trails Plan" on page 34, subject to approval and acceptance by the Director of Parks and Recreation. All amenities provided in both the public and private park development shall count toward park development fees as approved by the Director of Parks and Recreation. The area shown on "Exhibit F - Open Space and Trails Plan" as YMCA / Neighborhood Park will revert to an 8 ac. neighborhood park if the YMCA does not purchase this property within (3) three years from the cities approval of this document.

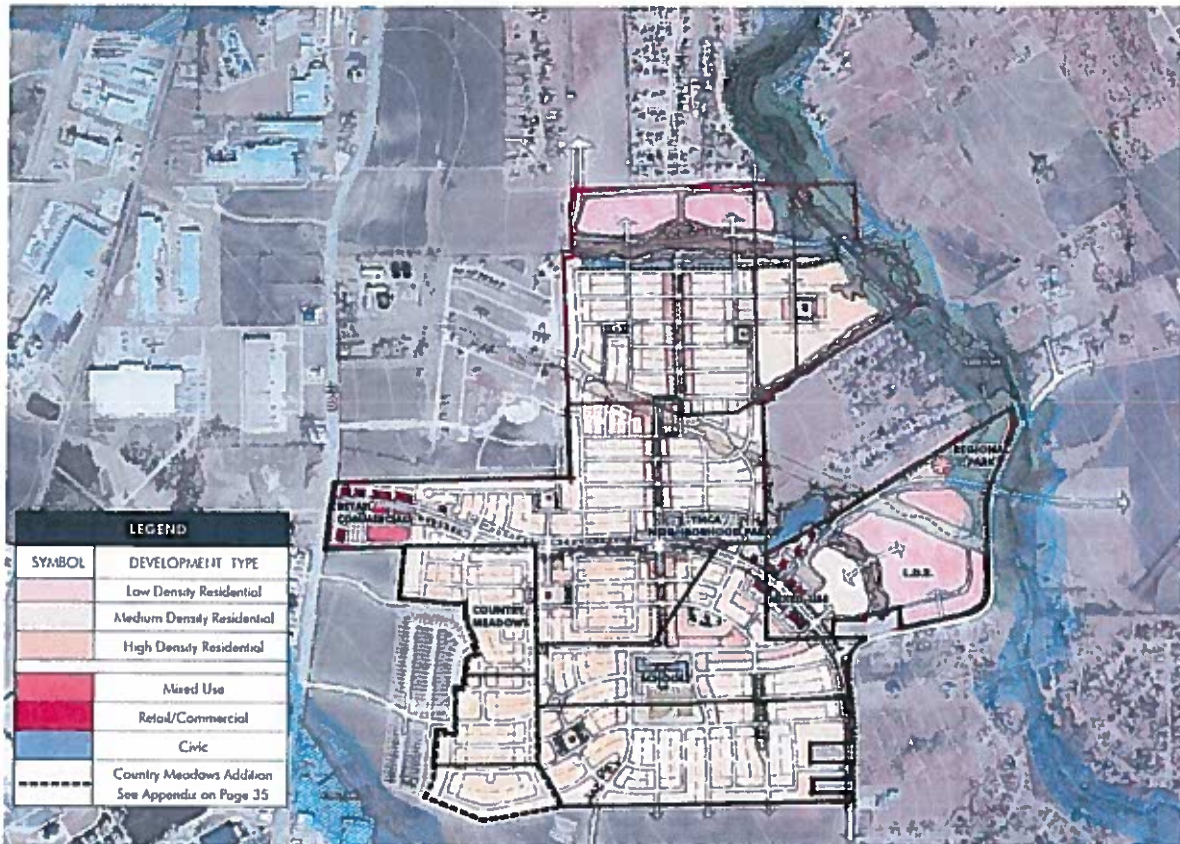
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Exhibit C-F

Planned Development District Standards

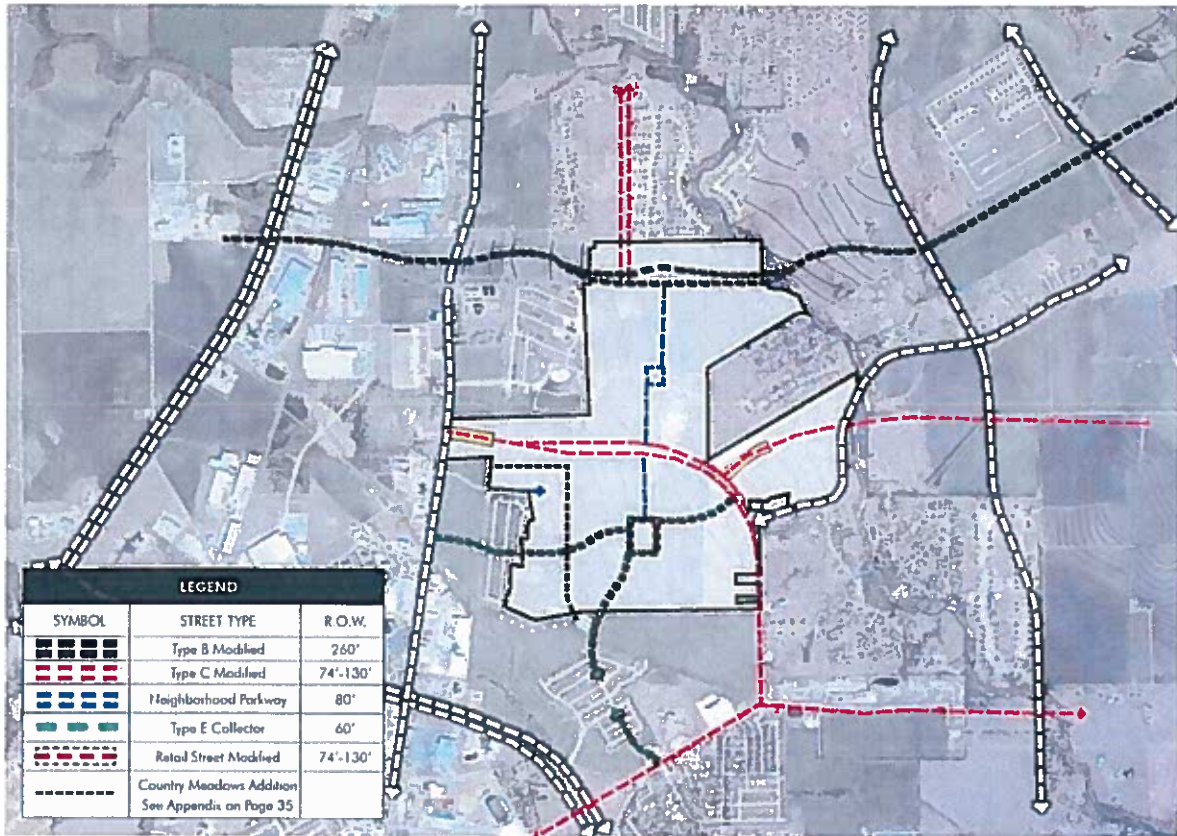
November 13, 2013
Revised January 24 ,2014

Exhibit C – North Grove Development Plan



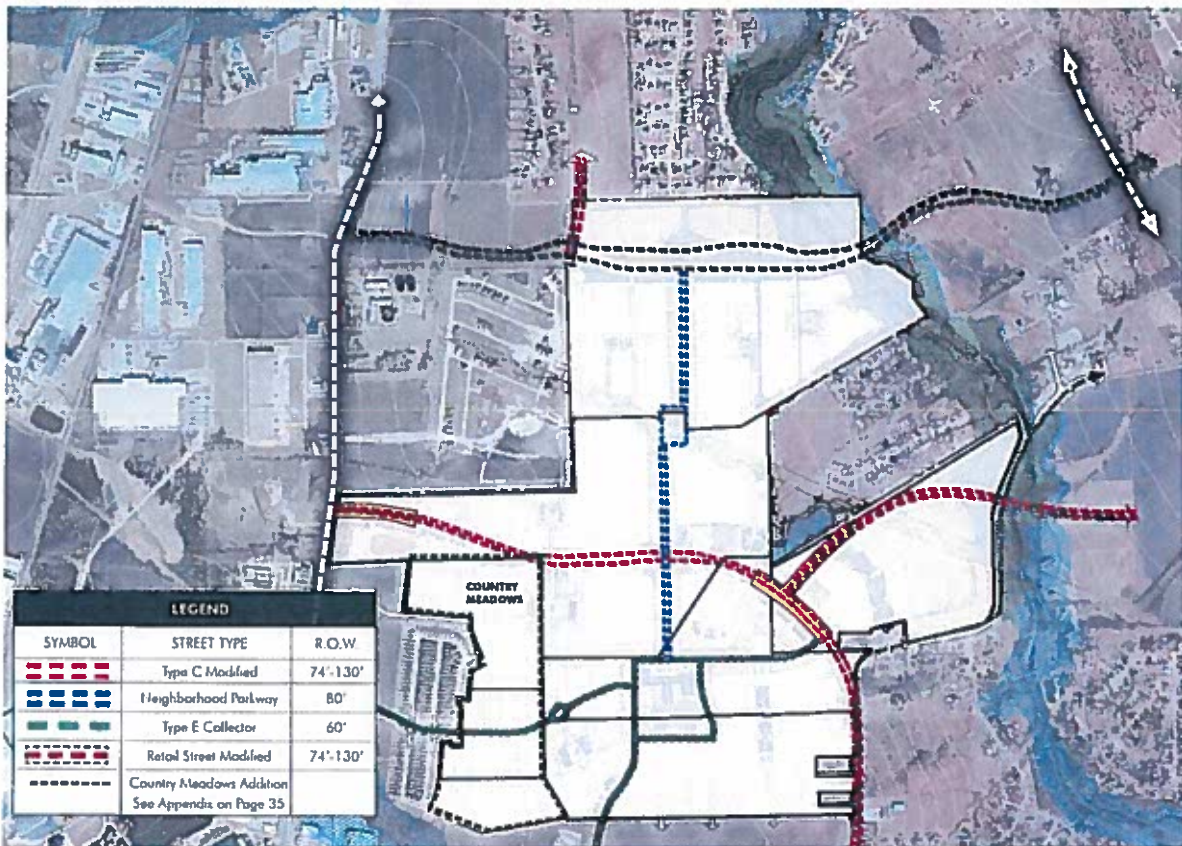
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Exhibit D – Regional Thoroughfare Diagram & Thoroughfare Diagram



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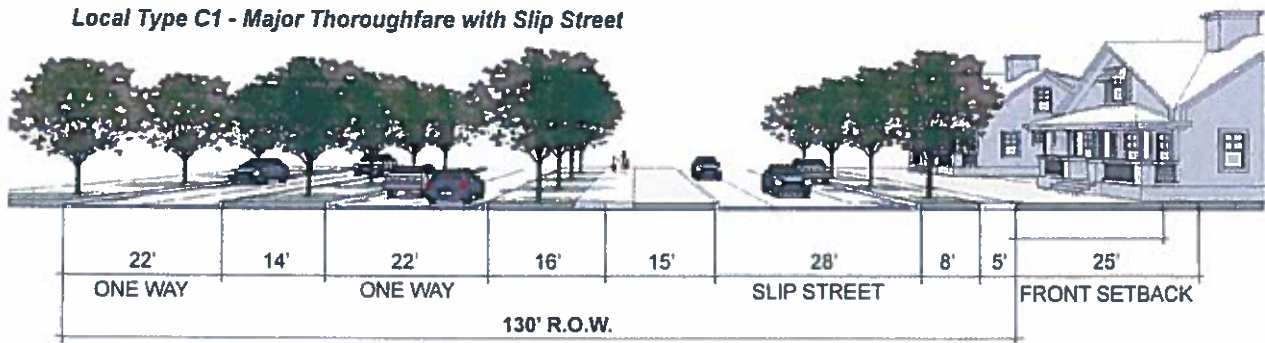
Exhibit D – Thoroughfare Diagram



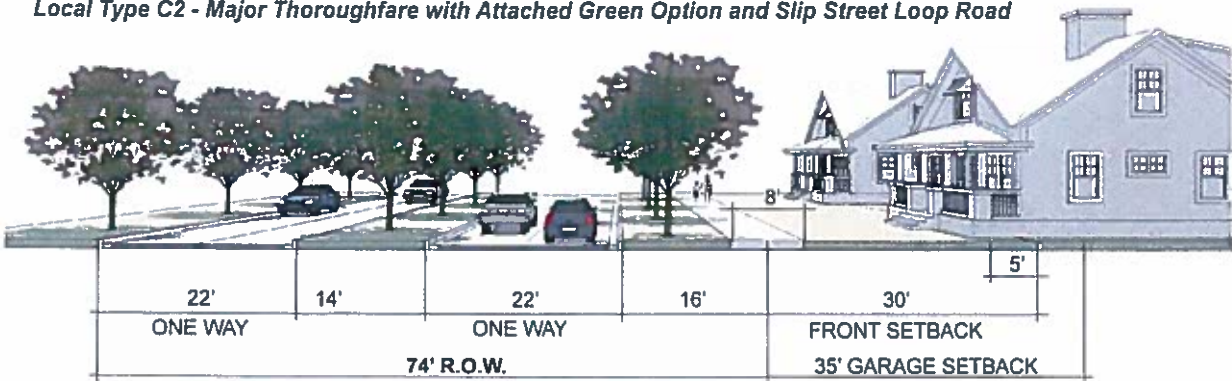
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Exhibit E – Street Sections

Local Type C1 - Major Thoroughfare with Slip Street



Local Type C2 - Major Thoroughfare with Attached Green Option and Slip Street Loop Road



(8)

Exhibit E – Street Sections

Local Type C3 - Major Thoroughfare with Side Lot Connection or Cul-de-sac

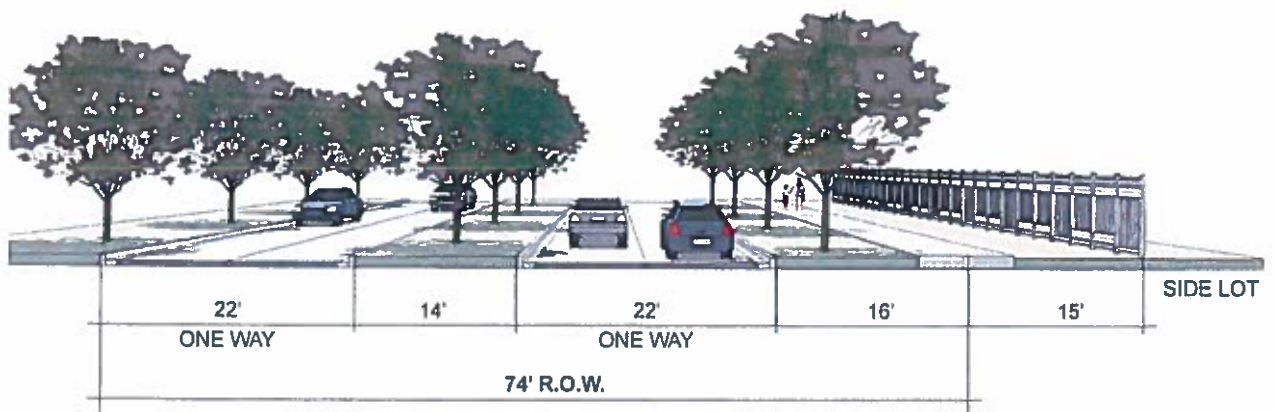
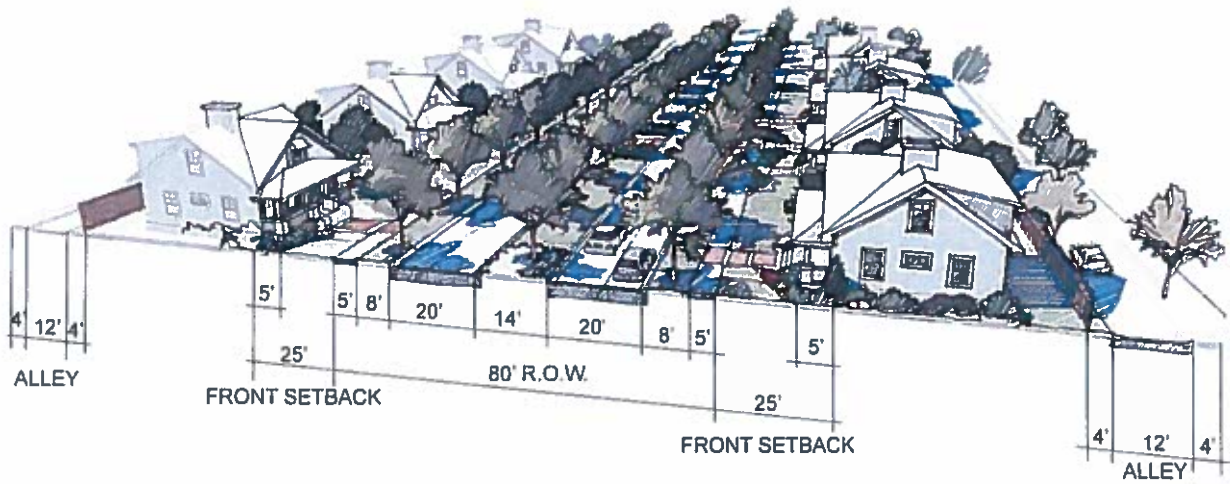


Exhibit E – Street Sections

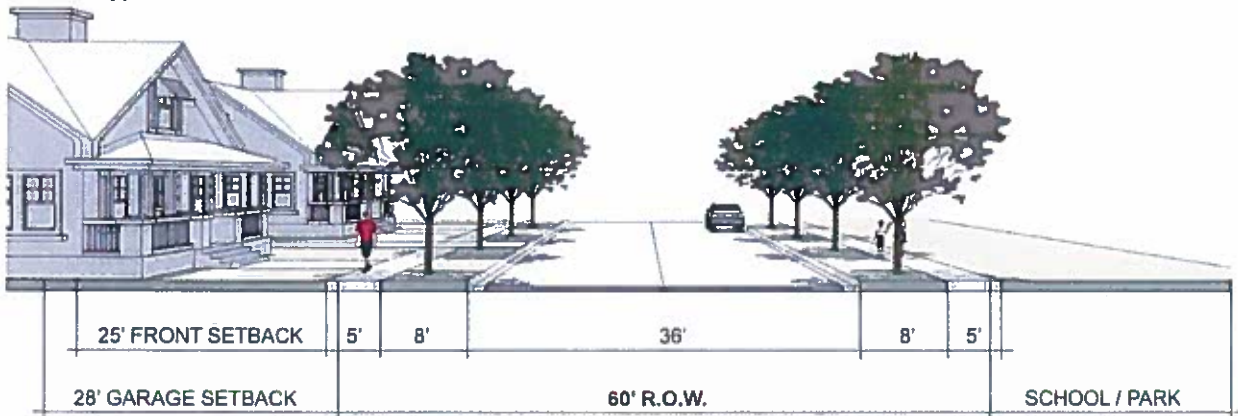
Local Type D - Neighborhood Parkway with Alleys



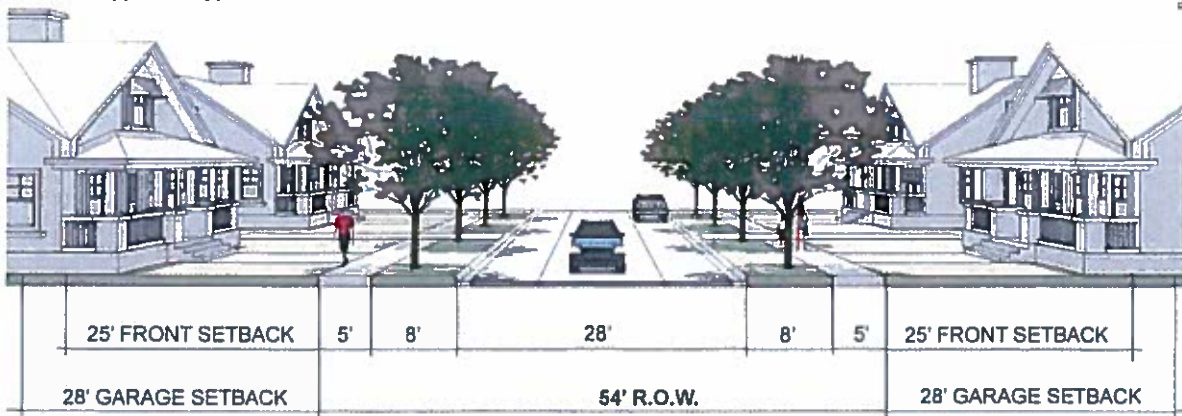
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Exhibit E – Street Sections

Local Type E - Collector

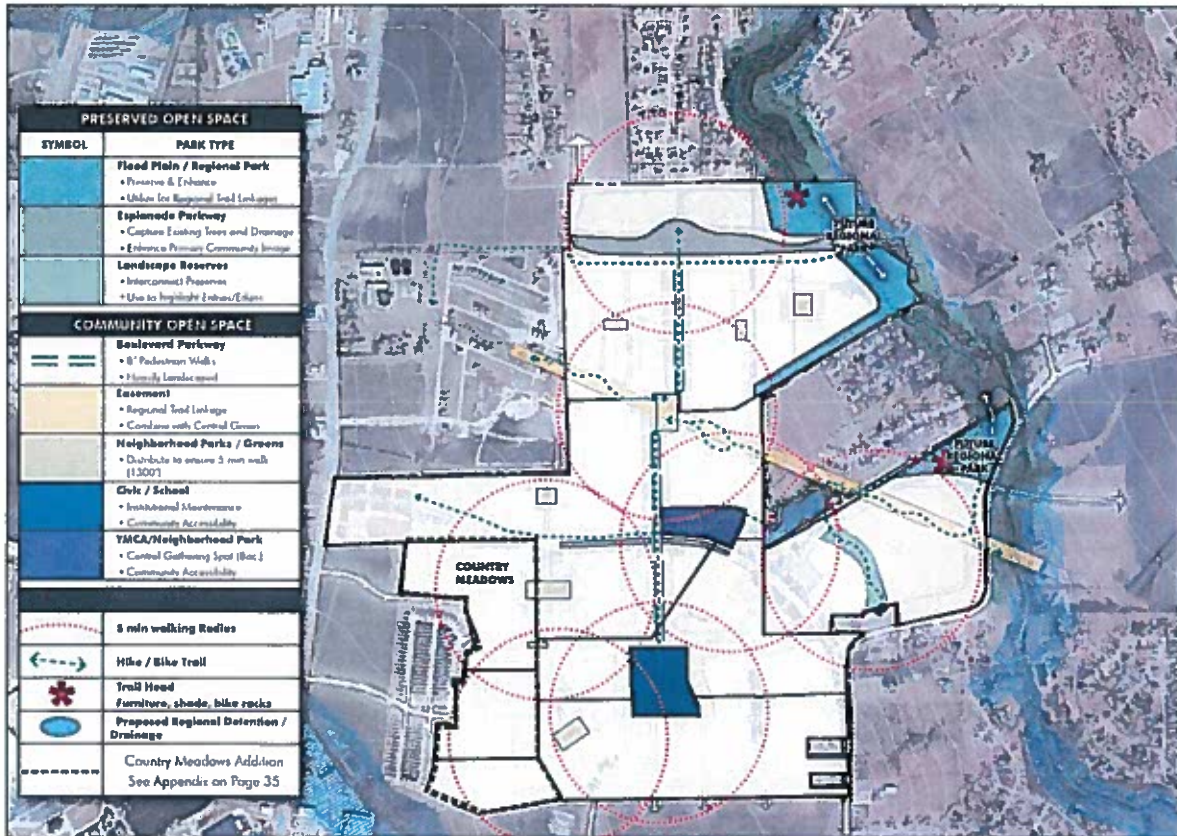


Local Type F - Typical Residential



(8)

Exhibit F – Open Space and Trails Plan



Appendix: Country Meadows Addition

Requirements

A. Withhold to Framework Plan

Country Meadows Addition is exempt from the rest of the P.D. but is held to the "A. Single-Family Residential Product Table" on page 8, and the thoroughfare framework, street layout and open space standards set in Exhibits C-F (page 27-34).

B. Minimum 3 Lot Types and Products

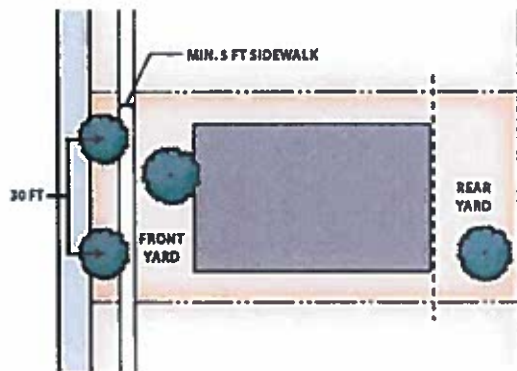
1. Single family detached units will range from Bungalow Homes on small lots to Estates on larger lots.
2. Lot widths will be established based on the proposed product within the P.D., as defined in "SECTION VII. Area and Height Regulations" on page 8.
3. A mix of housing products will be used to meet different needs of owners, families, and styles. Three lot types within the P.D. requirements will be used throughout the Country Meadows addition to create a variety of housing types.

C. Enhanced landscape

1. Minimum 5' sidewalks along both sides of the street are required in all residential neighborhoods. Provide 8' on thoroughfares (Type C and larger).
2. The value of trees and landscaping will be recognized as important features that strongly influence the aesthetics and environmental quality of the city. In all residential neighborhoods one 3" caliper tree will be planted every 30' between the curb and sidewalk. In addition of 3" caliper yard tree will be planted in the front and rear yard.

Trees Which May Be Planted Adjacent to Streets		
Street Trees (Between Curb and Sidewalk)		
Bald Cypress	Lace Bark elm	Chinquapin Oak
Pond Cypress	Alle Elm	Shumard Oak
Cedar Elm	Chinese Pistachio	Burr Oak
Texas Red Oak	Urbanite Ash	Highrise Live Oak
Yard Trees (Between Sidewalk and Front Facade)		
Live Oak	Bald Cypress	Shumard Oak
Sweetgum	Texas Red Oak	Burr Oak
Cedar Elm	Chinquapin Oak	

(8)



Residential Tree Lot Diagram

3. Establish attractive, inviting, imaginative and functional site arrangement of buildings and parking areas, and a high quality of architectural and landscape design. Two (2) rows of landscape are required in front of all homes containing shrubs, ground cover or other landscaping elements. Builder will install a fully operational irrigation system in front and back yards.
4. Community amenities, parks and open space, landscaping, and perimeter screening will be implemented per phase of development, and shall be constructed as part of the subdivision improvements before subdivision acceptance by the City.

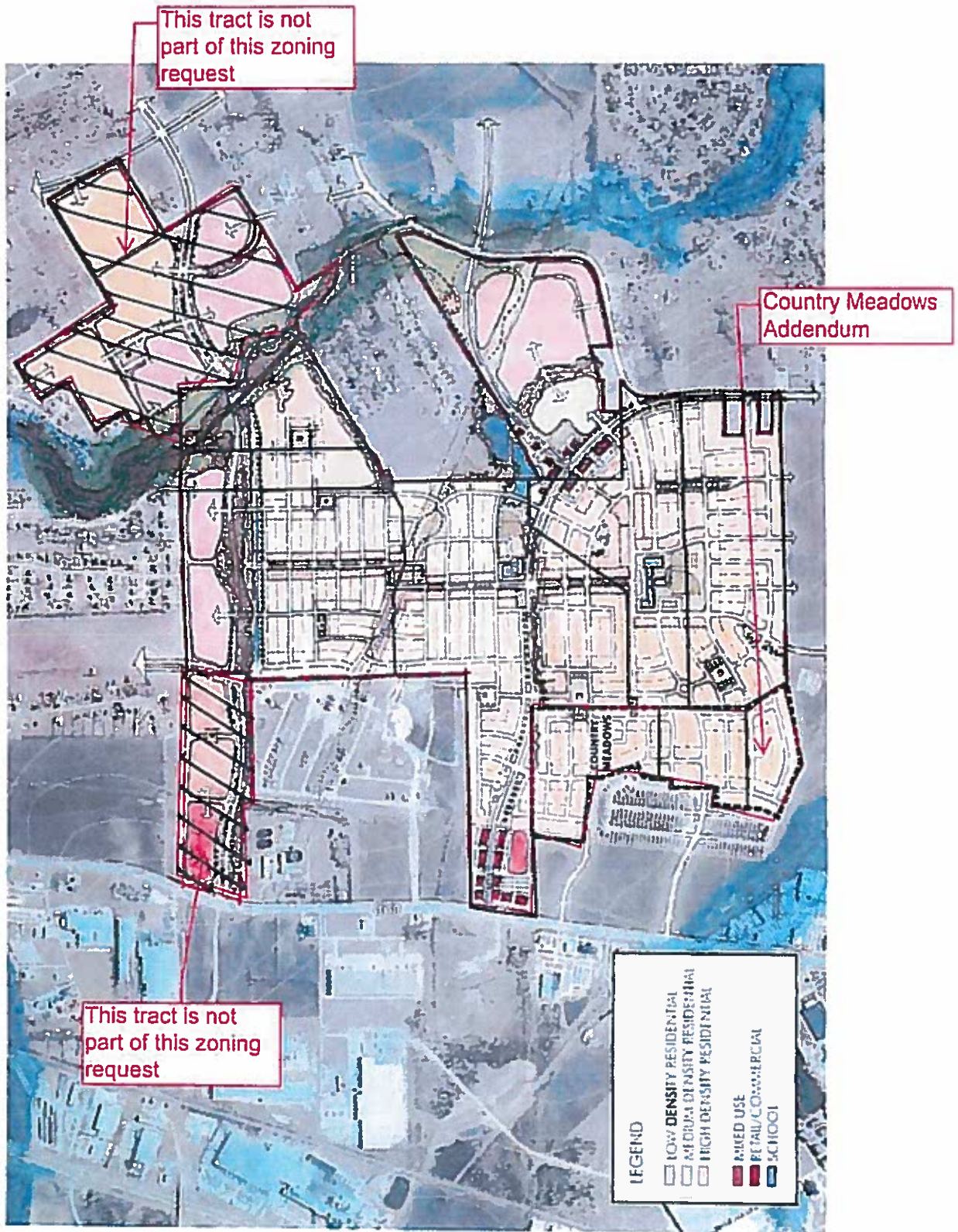
D. Street Sections

1. Alleys will not be required in the Country Meadows addition.
2. Streets will be of a minimum width to accommodate the street, median, planting strips, sidewalks, utilities and maintenance considerations
3. Street widths will be appropriate for adjacent land uses and building types, subject to approval by the City Engineer.
4. No residential development will be developed without sidewalks, pedestrian ways, neighborhood connections, trails and paths. All sidewalks in residential areas will be five (5) feet in width, with the Mixed Use all sidewalks will be ten (10) feet. The street will complement the distinctive character of the neighborhood or district while providing connections to adjoining neighborhoods.
5. Slip Roads and Mews can be used when fronting homes onto Type C roads or greater to reduce the number of drives that ingress and egress on the street while creating more depth to the front yards and separating the homes from the busy street.
6. Divided two-lane roadways with: eighty (80) foot ROW, twenty (20) foot pavement in each direction, curb-side parking will be permitted in residential neighborhoods providing a landscaped median.

E. Sidewalk

Development is required to have a five (5) foot sidewalk with a two (2) foot easement on yard.

Exhibit C – North Grove Development Plan



(8)

of Schedule A

G.F. No. 2228000798

Exhibit "B"

All that certain tract, lot or parcel of land, being 48.722 acres, situated in the J. W. Wright Survey, Abstract No. 1182, Ellis County, Texas, and being a part of the 100 acre tract described in deed from Ray Weiss et ux, to J. B. Naughton recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, and being a part of the 102.2 acre tract described in deed from Mrs. M. Naughton et al, to James B. Naughton, dated December 7, 1907, and recorded in Volume 173, Page 421, Deed Records of Ellis County, Texas, and described as follows:

BEGINNING at an iron stake at fence corner, the Northeast corner of said Wright Survey, the Northeast corner of aforesaid 100 acre tract;

THENCE South 675 feet with fence to the center of Grove Creek;

THENCE down said Grove Creek with its meanders as follows: South 54 degrees 30 minutes East 200 feet, East 140 feet, South 50 degrees 30 minutes East 300 feet and South 19 degrees East 490 feet to corner in Creek; the Southeast corner of aforesaid 102.2 acre tract;

THENCE South 59 degrees West 1731.6 feet to an iron stake for corner;

THENCE North 2281.4 feet to an iron stake for corner in fence on North line of aforesaid 100 acre tract;

THENCE East 809.9 feet with fence to the place of Beginning, containing 48.722 acres of land.

48.72

(8)

Continuation of Schedule A

G.F. No. 2228000801

Exhibit "B"

BEING a tract of land situated in the J. W. WRIGHT SURVEY, ABSTRACT NO. 1182, Ellis County, Texas, said tract being part of a 100 acre tract conveyed to J. B. Naughton by Ray Wiess et ux. as recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, said tract also being part of a 102.2 acre tract conveyed to James B. Naughton by Mrs. M. Naughton et al. as recorded on December 7, 1907 in Volume 173, Page 421, Deed Records of Ellis County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set for corner in the centerline of Grove Creek Road, said point being East, 2,298.49 feet from the Northwest corner of said J. B. Naughton 100 acre tract;

THENCE East, along said centerline of Grove Creek Road, a distance of 450.61 feet to an iron rod set for corner;

THENCE South, leaving said centerline of Grove Creek Road, a distance of 2,281.25 feet to an iron rod set for corner;

THENCE South 59 degrees 00 minutes West, a distance of 625.69 feet to an iron rod set for corner;

THENCE North a distance of 2,552.00 feet to the point of BEGINNING and containing 24.9987 acres (1,098,944 sq. ft.) of land.

(8)

of Schedule A

G.F. No. 2228000795

Exhibit "B"

All that certain lot, tract or parcel of land, being 50.003 acres, of which 2.0 acres are in the H. Sauge Survey, Abstract No. 1009, and 48.003 acres are in the J. W. Wright Survey, Abstract No. 1182, Ellis County, Texas, and being a part of the 100 acre tract described in deed from Ray Wiess et ux, to J. B. Naughton, recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, and being a part of the 102.2 acre tract described in deed from Mrs. M. Naughton et al, to James B. Naughton, dated December 7, 1907, and recorded in Volume 173, Page 421, Deed Records of Ellis County, Texas, and described as follows:

BEGINNING at a point in center of County Road, on North line of said Wright Survey and being 1083.9 feet East of the Northwest corner of aforesaid 100 acre tract;

THENCE East 804 feet with center of road and Survey line to a point, an iron stake bears 25 feet South;

THENCE South 2728.65 feet to an iron stake for corner on South line of aforesaid 102.2 acre tract;

THENCE West 510.4 feet to an iron stake for corner;

THENCE North 70 degrees West 312.4 feet to an iron stake for corner;

THENCE North 2821.8 feet to the place of Beginning, containing 50.003 acres of land.

(8)

Continuation of Schedule A

G.F. No. 2228000788

Exhibit B

All that certain lot, tract or parcel of land, being 64.012 acres, of which 0.062 acre is in the H. Sauge Survey, Abstract No. 1009, and 63.950 acres are in the J. W. Wright Survey, Abstract No. 1182, Ellis County, Texas, and being a part of the 100 acre tract described in deed from Ray Wiess et ux, to J. B. Naughton, recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, and being a part of the 102.2 acre tract described in deed from Mrs. M. Naughton et al, to James B. Naughton, dated December 7, 1907, and recorded in Volume 173, Page 421, Deed Records of Ellis County, Texas, and described as follows:

BEGINNING In the center of County Road on North line of said Wright Survey, the Northwest corner of aforesaid 100 acre tract, an iron stake bears 25 feet South;

THENCE East 1083.9 feet with the center line of said road and Survey line to a point, an iron stake bears 25 feet South;

THENCE South 2621.8 feet to an iron stake on South line of aforesaid 102.2 acre tract;

THENCE North 70 degrees East 164.3 feet to an iron stake for corner;

THENCE West 938.9 feet to an iron stake for corner, this being the Southwest corner of the aforesaid 102.2 acre tract;

THENCE North 2589 feet to the place of Beginning, containing 64.012 acres of land.

(8)

Part of Schedule A

G.F. No. 2228000787

Exhibit "B"

BEING a tract of land situated in the H. SAUGE SURVEY, ABSTRACT NO. 1009 and the J. W. WRIGHT SURVEY, ABSTRACT NO. 1182, Ellis County, Texas, said tract being part of a 100 acre tract conveyed to J. B. Naughton by Ray Weiss et ux. as recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, said tract also being part of a 102.2 acre tract conveyed to James B. Naughton by Mrs. M. Naughton et al. as recorded on December 7, 1907 in Volume 173, Page 421, Deed Records of Ellis County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set for corner in the centerline of Grove Creek Road said point being East 1,887.90 feet from the Northwest corner of said J. B. Naughton 100 acre tract;

THENCE East, leaving said centerline of Grove Creek Road, a distance of 408.59 feet to an iron rod set for corner;

THENCE South, leaving said Grove Creek Road, a distance of 2,552.00 feet to an iron rod set for corner;

THENCE South 59 degrees 00 minutes West, a distance of 342.48 feet to an iron rod set for corner;

THENCE West, a distance of 114.60 feet to an iron rod set for corner;

THENCE North, a distance of 2,728.65 feet to the point of BEGINNING and containing 24.9987 acres (1,088,944 sq. ft.) of land.

125

Being 186.005 acres of land located in the Henri Sange Survey, Abstract No. 1009, Allen W. Brown Survey, Abstract No. 102, John W. Wright Survey, Abstract No. 1182 and the John Billingsley Survey, Abstract No. 83, and being a portion of the tract described in the deed to Nelson W. Jones Family Limited Partnership, recorded in Volume 1747, Page 245, Deed Records, Ellis County, Texas. Said 186.005 acres of land being more particularly described by metes and bounds as follows:

Beginning at an 1/2" iron rod found at an ell corner of said Sange Survey, being the Northeast corner of Henri Levy Survey, Abstract No. 629, being the Northeast corner of a tract of land described in the deed to Moritz Interests, LTD., recorded in Volume 1716, Page 69, Deed Records, Ellis County, Texas, and being the Northeast corner of a tract of land described in the deed to William C. Estes, recorded in Volume 1716, Page 572, Deed Records, Ellis County, Texas;

THENCE S 89°29'41" W, along the common line of said Jones, Estes and Moritz tracts at 1540.48 feet passing an 1/2" iron rod stamped "Beasley RPLS 4050" found at the Northwest corner of said Moritz tract, at 2491.70 feet passing a 3/8" iron rod found at the Northwest corner of said Estes tract, in all a distance of 2492.08 feet to a point in the East Right-Of-Way of U.S. Highway No. 77 according to the State of Texas Department of Transportation Right-Of-Way Map, Sheets 3 and 4, dated 18 December 1997, filed in the Texas Department of Transportation library, District #18 (Dallas District);

THENCE N 08°41'58" E, along said East Right-Of-Way line a distance of 783.08 feet to a 3/4" iron rod found at the Southwest corner of a tract of land described in the deed to Waxahachi I Joint Venture, recorded in Volume 838, Page 799, Deed Records, Ellis County, Texas;

THENCE along said Waxahachi I Joint Venture tract as follows:

1. N 89°41'32" E, a distance of 2801.73 feet to an 1" pipe found;
2. N 00°56'29" W, a distance of 900.67 feet to a 3" pipe found in a ditch, being the Southwest corner of a tract of land described in the deed to Lillian Lyle, recorded in Volume 530, Page 103, Deed Records, Ellis County, Texas;

THENCE along said ditch as follows:

1. N 89°27'08" E, a distance of 938.63 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set;

2. S 69°27'52" E, a distance of 466.54 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set;

3. N 89°07'08" E, a distance of 624.83 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set;

4. N 59°17'08" E, a distance of 398.78 feet to an 1/2" iron rod found;

THENCE S 00°12'09" E, a distance of 1729.80 feet to an 1/2" iron rod found at the most Northerly Northeast corner of a tract of land described in the deed to Frances N. Chamberlain, Cecelia A. Chamberlain Tatom and Carol M. Chamberlain, recorded in Volume 823, Page 921, Deed Records, Ellis County, Texas, from which an 1-1/2" pipe found bears S 00°40'46" W 178.30 feet at the Northwest corner of a tract of land described in the deed to Margaret H. Lumpkins, recorded in Volume 823, Page 912, Deed Records, Ellis County, Texas;

THENCE along said Chamberlain tract as follows:

1. S 89°24'49" W, a distance of 574.92 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set in a ditch;

2. S 34°06'49" W, a distance of 1436.45 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set, from which an 1/2" pipe found bears N 89°47'19" E 1384.72 feet at an ell corner of said Chamberlain tract and being the Southeast corner of said Sange Survey;

3. S 89°44'49" W, a distance of 1371.67 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set in the East line of said Moritz tract, being the most Westerly Southeast corner of said Sange survey and lying in the East line of said Levy survey;

THENCE N 00°29'38" W, along said East line a distance of 1204.75 feet to the point of beginning and containing 186.005 acres of land.

The bearings recited hereon are oriented to GPS North.

(8)

EXHIBIT "B"

PROPERTY:

McLANE

Being 98.907 acres of land located in the Robert Russell Survey, Abstract No. 911, Ellis County, Texas, being the tract of land described in the deed to Mary Belt Clark as Trustee of the E. E. Clark, Jr., Estate Trust, recorded in Volume 1212, Page 583, Deed Records, Ellis County, Texas. Said 98.907 acres of land being more particularly described as follows:

BEGINNING at an 1/2" iron rod found in the West right-of-way line of Farm to Market Road No. 813 at the Northwest corner of a tract of land described in the deed to the State of Texas recorded in Volume 405, Page 275, Deed Records, Ellis County, Texas, as shown on the right-of-way map recorded in Volume 1, Page 187, Plat Records, Ellis County, Texas, said iron rod being the Northeast corner of said Clark tract;

THENCE S00°03'14"E, a distance of 507.29 feet along said West right-of-way line to an 1/2" iron rod found;

THENCE S89°55'51"W, a distance of 417.29 feet to an 1/2" iron rod stamped Beasley RPLS 4050 set, from which an 1/2" iron rod found bears S89°55'51"W 5.00 feet;

THENCE S00°03'14"E, a distance of 209.03 feet to an 1/2" iron rod found;

THENCE N89°55'51"E, a distance of 417.29 feet to a steel fence post in said West right-of-way line;

THENCE S00°03'14"E, a distance of 479.39 feet along said West right-of-way line to an 3/8" iron rod found at the Southeast corner of said Clark tract, said 3/8" iron rod being the Northeast corner of a tract of land described in the deed to Suburban Residential, LP, a Texas limited partnership, recorded in Volume 2072, Page 1755, Deed Records, Ellis County, Texas;

THENCE S89°47'59"W, a distance of 3,383.83 feet along the South line of said Clark tract to a point at the Southwest corner of said Clark tract being the Southeast corner of a tract of land described in the deed to Mortiz Interests, LTD., recorded in Volume 1716, Page 69, Deed Records, Ellis County, Texas;

THENCE along the East line of said Mortiz tract as follows;

1. N28°51'18"W, a distance of 572.68 feet to a point;

2. N00°29'36"W, a distance of 693.18 feet to an 1/2" iron rod stamped BEASLEY RPLS 4050 set at the Northwest corner of said tract;

THENCE N89°47'59"E, a distance of 3,665.05 feet along the North line of said Clark tract to the point of beginning, containing 98.907 acres of land.

The bearings recited hereon are oriented to GPS North.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for information and/or identification purposes and does not override Item 2 of Schedule B hereof.

TITLE VESTED IN:

Mary Ann Clark McLane and Delano McLane as Independent Executors of The Estate of Mary Belt Clark, Deceased

(8)

EXHIBIT 'B'

723 911
77 76

EXHIBIT

BEING a part of the J.B. and Ann Adams Survey, Abstract 8, the John Billingsley Survey, Abstract 163, and the C.R. Bernard Survey, Abstract 106, Ellis County, Texas, and being a part of the land conveyed to Stuart G. Lumpkin described in Volume 510, Page 666, Deed Records, Ellis County, Texas, and being more particularly described by its miles and bounds as follows:

BEGINNING at a steel rod on the Northerly line of F.M. Highway 812 at the Southeast corner of a 2 Acre tract conveyed to Marlon L. Morgan, et ux as recorded in Volume 720, Page 1004, Deed Records, Ellis County, Texas;

THENCE N 0°44' E, with said Morgan East line, 299.1 feet to a steel rod;

THENCE S 70°11' W, 417.2 feet to a steel rod, found;

THENCE S 89°51' W, 345.6 feet to a pipe, found at the Northwest corner of a tract conveyed to said Morgan as recorded in Volume 549, Page 715, Deed Records, Ellis County, Texas;

THENCE S 0°31' W, 222.6 feet to a steel rod found on the South line of said Lumpkin tract;

THENCE N 89°30' W, with said Lumpkin South line, 784.9 feet to a pipe found at the Southwest corner of the M. Sange Survey, Abstract 1009;

THENCE N 0°24' E, with said Sange East line, 1014.3 feet to a steel rod;

THENCE N 65°28' E, with the Southeast line of Country Place Addition, 3495.1 feet to a steel rod on the East line of Grove Creek Road;

THENCE with the East line of said Road, S 22°21' E, 73.0 feet to a steel rod, S 11°20' E, 130.0 feet to a steel rod, and S 25°15' E, 33.0 feet to a steel rod on the West line of said F.M. Highway;

THENCE S 31°12' W, with said Highway, 301.7 feet to a steel rod at the beginning of a curve to the left with a radius of 2332.27 feet;

THENCE Southwesterly with the arc of said curve 100.5 feet to a steel rod at the end of said curve;

THENCE S 23°49' W, 130.6 feet to a steel rod at the beginning of a curve to the left with a radius of 995.03 feet;

THENCE Southwesterly, with the arc of said curve, a distance of 402.6 feet to a steel rod at the end of said curve;

THENCE S 0°10' W, with the West line of said Highway, 950.0 feet to a steel rod at the beginning of a curve to the left with a radius of 278.31 feet;

THENCE Southwesterly with the arc of said curve a distance of 381.3 feet to a steel rod at the end of said curve;

THENCE S 70°11' W, with the North line of said F.M. Highway 900.0 feet to the point of beginning and containing 104.27 Acres of land, with 4.77 Acres in said easements, 0.20 Acres in said road, and 2.10 Acres in a 107 year flood hazard area.

(8)
EXHIBIT "B"

Description of Property – Country Meadows

Being 86.710 acres of land as conveyed to Moritz Interests according to the deed recorded in Volume 1716, Page 69, Deed Records of Ellis County, Texas, located in the Henri Levy Survey, Abstract Number 629 and the Robert Russell Survey, Abstract Number 911, Ellis County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a an iron rod being the existing southwest corner of Lot 10, Block L, Country Meadows Phase Two, as recorded in Volume ___, Page ___, Plat Records, Ellis County, Texas, said iron rod also being in the existing east right-of-way line of Country Hills Drive (50.0' right-of-way);

THENCE, South 83 degrees 37 minutes 29 seconds East, along the south line of said Lot 10, Block L, 110.00 feet to an iron rod found for corner;

THENCE, North 06 degrees 22 minutes 31 seconds East, along the east line of Lots 4-10 of said Block L, 320.16 feet to an iron rod found for corner and being the beginning of a curve to the right with a radius of 65.12 feet and a long chord bearing North 38 degrees 15 minutes 33 seconds East, 68.79 feet;

THENCE, along said curve to the right, passing through a central angle of 63 degrees 46 minutes 04 seconds an arc length of 72.47 feet to an iron rod found for corner;

THENCE, North 67 degrees 41 minutes 03 seconds East, along the south line of Lots 1-2, Block L, of said Country Meadows Phase Two, 77.79 feet to an iron rod found for corner, being the southeast corner of said Lot 1, Block L and also being in the existing west right-of-way line of Whispering Trail Drive;

THENCE, North 22 degrees 18 minutes 57 seconds West, along the existing west right-of-way line of said Whispering Trail Drive, 110.00 feet to an iron rod found for corner;

THENCE, North 67 degrees 41 minutes 03 seconds East, 60.00 feet to an iron rod found for corner;

THENCE, North 22 degrees 18 minutes 57 seconds West, along the existing east right-of-way line of said Whispering Trail Drive, 272.11 feet to an iron rod found for corner and being the beginning of a curve to the right with a radius of 275.00 feet and a long chord bearing North 10 degrees 54 minutes 39 seconds West, 108.76 feet;

THENCE, along said curve to the right and continuing along the existing east right-of-way line of said Whispering Trail Drive, passing through a central angle of 22 degrees 48 minutes 35 seconds an arc length of 109.48 feet to an iron rod found for corner;

THENCE, North 00 degrees 29 minutes 38 seconds West, continuing along the existing east right-of-way line of said Whispering Trail Drive, 117.00 feet to an iron rod found for corner;

THENCE, South 89 degrees 30 minutes 22 seconds West, along the existing north right-of-way line of Country Meadows Blvd., 149.38 feet to an iron rod found for corner and being the beginning of a curve to the right with a radius of 275.00 feet and a long chord bearing North 87 degrees 03 minutes 34 seconds West, 32.97 feet;

THENCE, along said curve to the right and continuing along the existing north right-of-way line of said Country Meadows Blvd., passing through a central angle of 06 degrees 52 minutes 09 seconds an arc length of 32.97 feet to an iron rod found for corner;

THENCE, North 83 degrees 37 minutes 29 seconds West, continuing along the existing north right-of-way line of Country Meadows Blvd., 492.12 feet to an iron rod found for corner and being the beginning of a curve to the left with a radius of 480.00 feet and a long chord bearing South 89 degrees 40 minutes 55 seconds West, 111.89 feet;

THENCE, along said curve to the left and continuing along the existing north right-of-way line of said Country Meadows Blvd., passing through a central angle of 13 degrees 23 minutes 12 seconds an arc length of 112.15 feet to an iron rod found for corner;

THENCE, North 06 degrees 22 minutes 31 seconds East, 621.05 feet to an iron rod found for corner;

THENCE, North 89 degrees 29 minutes 41 seconds East, 1540.48 feet to an iron rod found for corner;

THENCE, South 00 degrees 29 minutes 38 seconds East, 2608.09 feet to an iron rod found for corner, said iron rod being in the west property line of that certain tract of land conveyed to E.E. Clark, Jr., Estate Trust by deed recorded in Volume 1212, Page 563, Deed Records Ellis County, Texas;

THENCE, South 28 degrees 51 minutes 18 seconds East, 572.68 feet to an iron rod found for corner, said iron rod being in the north property line of that certain tract conveyed to John L. Estes and William C. Estes by deed recorded in Volume 809, Page 510, Deed Records, Ellis County, Texas;

THENCE, South 80 degrees 51 minutes 28 seconds West, 1261.15 feet to an iron rod found for corner;

THENCE, North 68 degrees 57 minutes 29 seconds West, 471.12 feet to an iron rod found for corner;

THENCE, North 21 degrees 06 minutes 00 seconds East, 335.49 feet to an iron rod found for corner, said iron rod being in the east property line of said Country Meadows Estates, Phase One;

(and continuing with said east property line of said Country Meadows Estates, Phase One the following courses and distances)

North 06 degrees 22 minutes 31 seconds East, 647.34 feet to an iron rod found for corner;

North 89 degrees 30 minutes 22 seconds East, 110.11 feet to an iron rod found for corner;

South 00 degrees 29 minutes 38 seconds East, 50.00 feet to an iron rod found for corner;

North 89 degrees 30 minutes 22 seconds East, 120.00 feet to an iron rod found for corner;

North 00 degrees 29 seconds 38 minutes West, 330.00 feet to an iron rod found for corner said iron rod being in the existing north right-of-way line of Bessie Coleman Blvd.

THENCE, North 89 degrees 30 minutes 22 seconds East, along the existing north right-of-way line of Bessie Coleman Blvd., 9.90 feet to an iron rod found for corner, said iron rod being the southwest corner of Lot 6, Block K of said Country Meadows Phase Two;

THENCE, North 00 degrees 29 minutes 38 seconds West, along the east line of said Lot 6, at 110.00 feet passing the northeast corner of said Lot 6 and continuing in all a distance of 160.00 feet to an iron rod found for corner, being in the existing north right-of-way line of said Country Hills Drive;

THENCE, South 89 degrees 30 minutes 22 seconds West, along the existing north right-of-way line of said Country Hills Drive, 24.84 feet to an iron rod found for corner;

THENCE, North 06 degrees 22 minutes 31 seconds East, continuing along the existing east right-of-way line of said Country Hills Drive, 68.25 feet to the POINT OF BEGINNING.

The tract of land herein described contains 86.710 acres of land.

COMMITMENT FOR TITLE INSURANCE

Issued By

Fidelity National Title Insurance Company

SCHEDULE A

Effective Date: January 29, 2014, 8:00 am

GFNo. 9711

Commitment No. _____, issued February 5, 2014, 8:00 am

1. The policy or policies to be issued are:

- (a) **OWNER'S POLICY OF TITLE INSURANCE (Form T-1)**
(Not applicable for improved one-to-four family residential real estate)
Policy Amount: \$1,043,040.00
PROPOSED INSURED: JHDMC Limited Liability Company
- (b) **TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
- ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)**
Policy Amount:
PROPOSED INSURED:
- (c) **LOAN POLICY OF TITLE INSURANCE (Form T-2)**
Policy Amount:
PROPOSED INSURED:
Proposed Borrower:
- (d) **TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)**
Policy Amount:
PROPOSED INSURED:
Proposed Borrower:
- (e) **LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)**
Binder Amount:
PROPOSED INSURED:
Proposed Borrower:
- (f) **OTHER**
Policy Amount:
PROPOSED INSURED:

2. The interest in the land covered by this Commitment is: Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:
Cecelia A. Chamberlain Tatom and Carol M. Chamberlain

4. Legal description of the land:

Being a part of the Robert Russell Survey, Abstract 911, and the Henry Sange Survey, Abstract 1009, Ellis County, Texas, and being a part of a tract conveyed by Mrs. M. Naughton to Ed Naughton by deed of record in Volume 173, Page 422, Deed Records, Ellis County, Texas, and a part of the land conveyed by W.A. Witherspoon, et ux to E.M. Naughton by deed of record in Volume 211, Page 390, Deed Records, Ellis County, Texas, and being more particularly described by its metes and bounds as follows:

BEGINNING at a steel rod at the Northeast corner of the Robert Russell Survey, said point being the Northeast corner of said Witherspoon tract;

THENCE S 0°28' W, with the East line of said survey, 158.1 feet to a point on the West line of F.M. Highway 813, said point being on a curve with a radius of 358.31 feet;

THENCE Southwesterly with the arc of said curve to the left through a central angle of 26°35', a distance of 166.2 feet to the end of said curve;

THENCE S 0°28' W, with the West line of said Highway, 394.0 feet to a steel rod that is N 89°42' W, 40.0 feet from the Southeast corner of said Witherspoon tract and the Northeast corner of a tract conveyed to E.E. Clark by deed of record in Volume 392, Page 112, Deed Records, Ellis County, Texas;

(8) EXHIBIT "D"

THENCE N 89°42' W, with Clarks North line, a distance of 3666.2 feet to a steel rod at his Northwest corner, said point being the Southwest corner of said Witherspoon tract;

THENCE North, with the West line of said Witherspoon tract, 711.1 feet to a steel rod at its Northwest corner, said point being the Southwest corner of said M. Naughton tract;

THENCE S 89°45' E, with the Naughton-Witherspoon line, 1371.1 feet to a steel rod;

THENCE N 34°37' E, 1438.5 feet to a steel rod;

THENCE N 89°55' E, 574.5 feet to a steel rod on the East line of said M. Naughton tract and East line of said Sange Survey;

THENCE S 0°17' W, with the East line of said Sange Survey, 1190.8 feet to a pipe at its Southeast corner, said point being on the North line of said Witherspoon tract and the Russell Survey;

THENCE S 89°38' E, 953.1 feet to the POINT OF BEGINNING and containing 86.92 acres of land.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. *Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for information and/or identification purposes and does not override Item 2 of Schedule B hereof.*

(8)

ORDINANCE NO. 2841

AN ORDINANCE AMENDING ORDINANCE NO. 2733, CONCERNING THE ZONING OF 749 ACRES OF LAND, KNOWN AS "NORTH GROVE PLANNED DEVELOPMENT DISTRICT" IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AMENDING THE ZONING BY AMENDING SECTION VII RELATING TO GARAGE DOORS AND SECTION X AND SECTION M, NO. 4 RELATING TO LIGHT POLES, DECLARING AN EMERGENCY, AND SETTING AN EFFECTIVE DATE.

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, proper application for the change of zoning 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 rezoning as hereinafter described, amending Ordinance No. 2733; 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 rezoning and amendments;

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

That the specific use permit is hereby authorized on the following property, as shown:

All that certain lot, tract or parcel of land, being approximately 749 acres, being known as "North Grove Planned Development District", being more fully described in Ordinance No. 2733, also being the area designated as Planned Development-District 117 (PD-117).

The following changes to "North Grove Planned Development District" standards are made:

Section VII. Area and Height Regulations, in Chart A, Single-Family residential product table, the vertical line captioned "Minimum Attached Garage Door", is amended to read, instead of 28 feet, is amended to read 25 feet for the "Estate" and "Manor" product types.

Section X. Single Family Development Design Standards, Subsection H. Street Lighting, Subsection 2. is amended to read: Philadelphia, Acorn and other light poles as approved by City Staff will be allowed.

Section M. Architecture, No. 4, Item a. is deleted and replaced with the following:

"All garage doors shall have at least one of the following architectural elements described below and as shown in Exhibit A attached to this zoning amendment:

- Cedar Faced
- Have one (1), two (2) car garage door with divided light windows
- Have two (2), single car garage doors with divided light windows
- Recessed garage door with divided light windows (single car or two car)
 - a. Recess must be a minimum of 8 inch brick to face to brick face."

An emergency affecting the public welfare is declared to exist, as the building standards needed to be updated and in place, and this ordinance is 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 19th day of January, 2016.

(8)

M. Kiri Styg
MAYOR

ATTEST:

Amber Villarreal
Assistant City Secretary

(8)

ORDINANCE NO. 2870

AN ORDINANCE AMENDING THE ZONING ON APPROXIMATELY 749 ACRES OF LAND, MORE OR LESS, KNOWN AS "NORTH GROVE PLANNED DEVELOPMENT DISTRICT" IN WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOCATED ON US HIGHWAY 77 NORTH, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BY AMENDING THE TEXT OF THE DISTRICT, AND OF ITS MAPPING EXHIBITS, 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, proper notification for the change of zoning 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 amendment of the text of the district and of its mapping exhibits; 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 amendments.

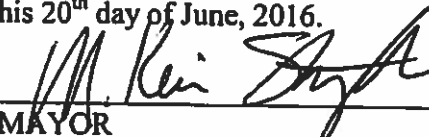
NOW, THEREFORE, the following described property's zoning and mapping is amended as provided in Exhibit "A" attached hereto:

Approximately 749 acres of land, more or less, known as "North Grove Planned Development District", as more fully described in the City of Waxahachie Ordinance Nos. 2733 and 2841.

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 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.

PASSED, APPROVED AND ADOPTED on this 20th day of June, 2016.


MAYOR

ATTEST:


City Secretary

(8)

EXHIBIT A

AMENDED PLANNED DEVELOPMENT REGULATIONS

Purpose and Intent

The purpose and intent of this Planned Development District is to facilitate quality development and livability of the subject property. The amendments contained herein will revise language and mapping exhibits contained in City Ordinance No. 2733, as amended by City Ordinance No. 2841.

PD Ordinance Section VII

Area and Height Regulations

The table currently contained on Page 8 of the North Grove Planned Development District Standards will be revised as follows:

1. ***** Estate, Manor, and Township lots with a front or side entry garage product will have a rear yard setback of twenty (20) feet.
2. ***** All product types shall have a minimum rear yard setback of fifteen (15) feet.
3. Change the 'Minimum Street Side Yard Setback' for "Estate" product types from twenty (20) feet to fifteen (15) feet.

PD Ordinance Section X

Single-Family Development Design Standards

Section D on Page 12 of the North Grove Planned Development District Standards will be revised by replacing the word "elements" with the word "elevations" in paragraph numbers 2 and 5, to read as follows:

2. No building profile will be allowed on a house built on a lot that is within four (4) lots of a structure constructed with similar building elevations that is located on the same side of the street in-between intersecting streets.
5. No residential building will be built with a similar building elevation and color pallet as one located directly across the street.

PD Ordinance Section X

Single-Family Development Design Standards

Section M on Page 17 of the North Grove Planned Development District Standards will be revised by deleting paragraph number 3.a. Paragraph M.3 will remain as written.

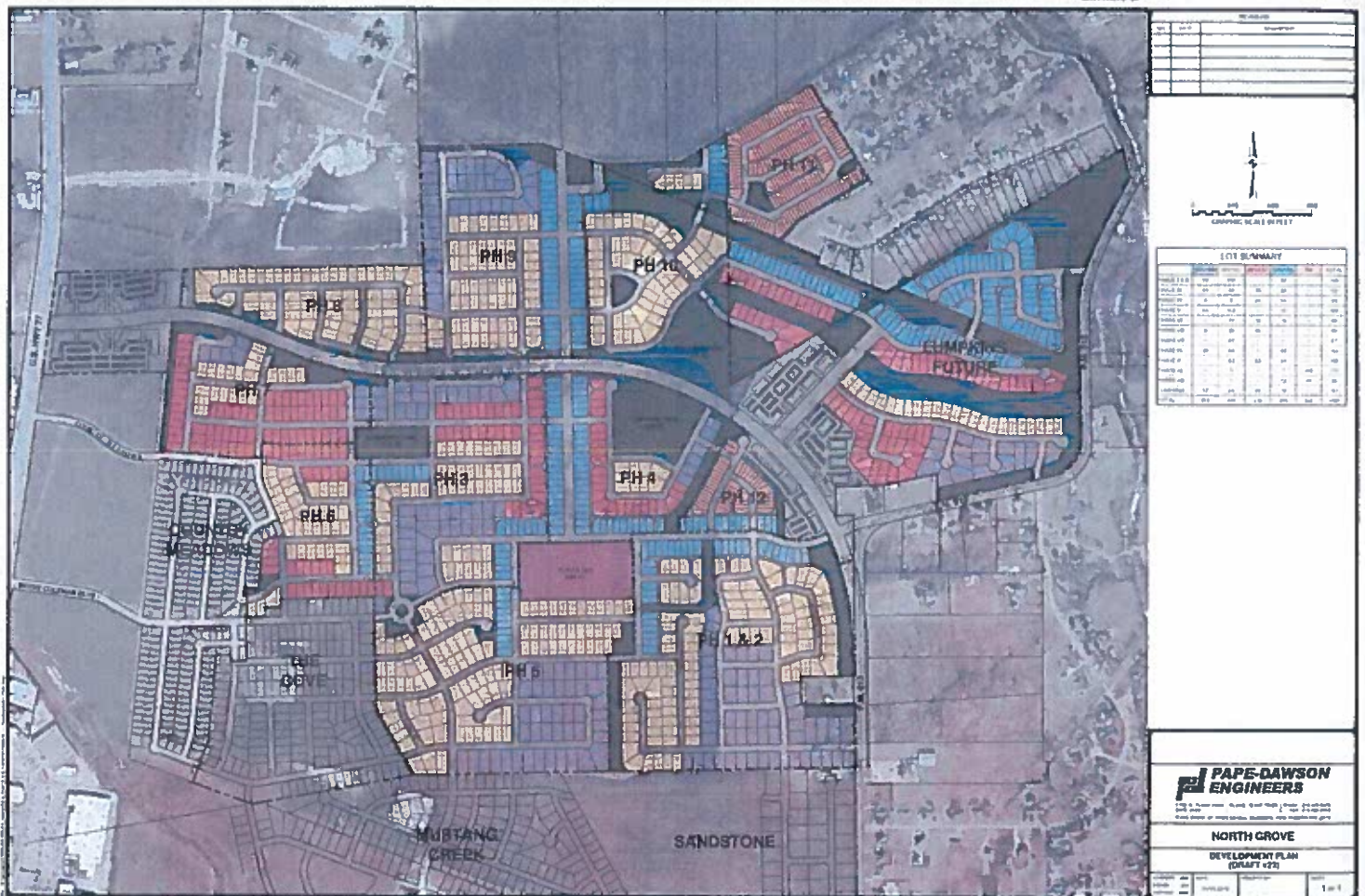
PD Ordinance Exhibit C

North Grove Development Plan

The 'Exhibit C' Concept Plan associated with the southern section of the North Grove PD will be updated with the development plan identified herein as Exhibit B of this amendatory ordinance. The existing plan will continue to apply on the northern section of the North Grove PD.

(8)

Exhibit B



(9)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-84-2020



MEETING DATE(S)

Planning & Zoning Commission: July 14, 2020

City Council: August 3, 2020 (continued from July 20, 2020)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held July 14, 2020 the Commission voted 4-2 to recommend approval of case number ZDC-84-2020, as presented by the applicant.

At the City Council meeting, held July 20, 2020 City Council voted 4-0 to continue case number ZDC-84-2020 to the August 3, 2020 City Council meeting.

CAPTION

Public Hearing on a request by Amanda Mata, Peloton Land Solutions, for a Planned Development Amendment (PD-MF2), with Concept Plan, located at Conquest Boulevard and US Highway 287 (Property ID 191628) - Owner: DWBI INVESTMENTS, LLC (ZDC-84-2020)

APPLICANT REQUEST

The applicant is requesting to amend Ordinance 2296, to allow for construction of a second phase of 188 residential units on 10.409 acres

CASE INFORMATION

Applicant: Amanda Mata, Peloton Land Solutions

Property Owner(s): Grant Robinson, DWBI Investments

Site Acreage: 10.409 acres

Current Zoning: PD-MF2

Requested Zoning: PD-MF2 with Amended Ordinance

SUBJECT PROPERTY

General Location: Intersection of Conquest Boulevard and US Highway 287

Parcel ID Number(s): 191628

Existing Use: Currently Undeveloped

Development History: On June 18, 2018, City Council approved a Planned Development for Phase 1 for the Mark on Conquest.

(9)

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	----	US Highway 287
East	SF1	Currently Undeveloped
South	SF1	Currently Undeveloped
West	PD-MF2	The Mark on Conquest (Phase 1)

Future Land Use Plan:

Highway Commercial and Public/Semi-Public

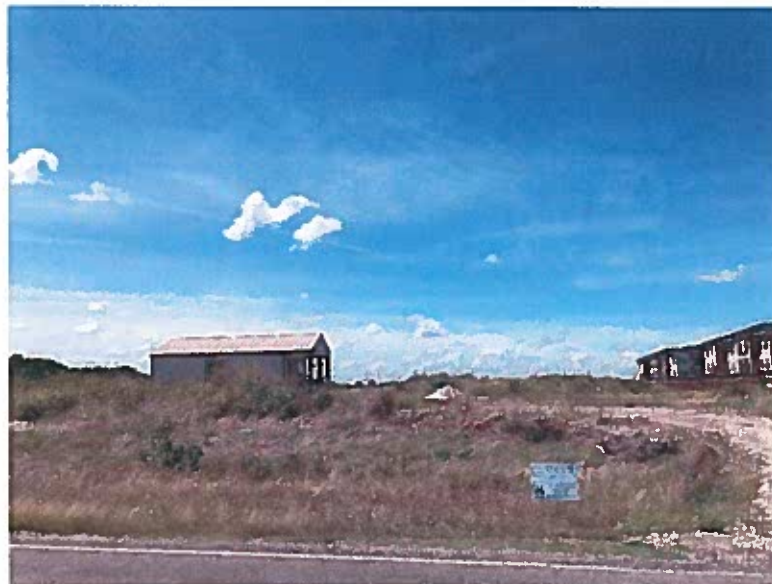
Comprehensive Plan:

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

Public/Semi-Public: This land use category includes uses that are educational, governmental or institutional in nature. This type of land use is generally permitted within any area, therefore, only the current Public/Semi-Public uses are shown on the map.

Thoroughfare Plan:

The subject property is accessible via US Highway 287 Bypass. The subject property is also accessible via a cross access from The Mark on Conquest Phase 1.

Site Image:

PLANNING ANALYSIS**Purpose of Request:**

The purpose of this request is to create a multi-family residential development within a Planned Development zoning district. The existing zoning permits multi-family development, however, the applicant seeks to amend Ordinance 2296, to allow for construction of a second phase of 188 residential units on 10.409 acres.

Proposed Use:

The applicant is requesting approval for a Planned Development Amendment to accommodate development of a 188 unit multi-family residential complex on 10.409 acres located at the intersection of Conquest Boulevard and US Highway 287. The development will consist of eight (8) apartment buildings, the maximum height will be three (3) stories, and a common area will be provided within the development. If approved, the applicant intends to break ground in the fourth quarter of 2020 and an expected completion date of summer 2022.

The Concept Plan depicts a residential development that includes elements such as:

- Fitness Center
- Dog Park
- Walk/Jog Trail
- Resident Lounge

CHANGES FROM THE 7/20/20 CITY COUNCIL MEETING

Park Amenity: Deleted the detention pond and expanded the jogging trail/park throughout the entire area at the southeast portion of the site. The park will feature a ¼ km jogging trail (previously ½ of that), dog park, park benches, game areas, and four disc golf holes.

3 Bedroom Units: Reduced the 3 bedroom unit count from 12 to 9 to mitigate the 3 bedroom concern.

Covered Parking: Added additional carports so that the total count is 147 covered parking spaces comprised of 107 carports and 40 detached garages.

Eastern Fence: Extended the iron and masonry column fence from northeastern corner of property down to end of front entry drive.

Buildings 1, 5, 6, and 8: The architect is adding faux design features to dress up the side elevations of buildings facing existing and future ROW to mitigate any "blank wall" appearance. This will include masonry columns, Juliet balconies, and faux windows.

Landscaping: Updated landscape plan to include additional screening for corridor stairways along 287 frontage.

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- **Growth Strategies – Goal 1:** Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- **Growth Strategies – Goal 12:** Promote growth of the community where infrastructure exists.

(9)

Development Standards:

The applicant is proposing a base zoning district of Multi Family-2 (MF2). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Multi Family-2 with additional changes listed below.

Permitted Uses:

- Multi-Family Apartments

Table 2: Proposed Multi-Family Residential (per MF2 standards)

**The second column depicts the requirements for the current zoning (PD-MF2) of the property. It is not presented in the "Meets" column*

****Items highlighted in bold do not meet the City of Waxahachie MF2 requirements****

Standard	*Current Zoning – PD-MF-2	City of Waxahachie	The Mark on Conquest (Phase 2)	Meets
Max. Density	18 DU per acre	18 DU per acre	18.08 DU per acre	No
Min. Lot Area (SF)	2,420 SF/Unit	2,420 SF/Unit	2,411 SF/Unit	No
Min. Dwelling Unit (SF)	1 Bedroom – 600 2 Bedroom – 700	1 Bedroom – 600 2 Bedroom – 700 3 Bedroom – 800	1 Bedroom – 568 (700 average) 2 Bedroom – 700 3 Bedroom – 800	No
Max. Unit Count	187	187	188	No
Min. Lot Width	60 ft.	60 ft.	60 ft.	Yes
Min. Lot Depth	120 ft.	120 ft.	120 ft.	Yes
Min. Front Setback	50 ft.; 75 ft. if over two stories (adj. to SF) 25 ft.; 100 ft. if over two stories (adj. to non res.)	50 ft.; 75 ft. if over two stories (adj. to SF) 25 ft.; 100 ft. if over two stories (adj. to non res.)	45 ft. (North Boundary) 20 ft. (South Boundary)	No
Min. Interior Setback	50 ft.; 75 ft. if over two stories (adj. to SF) 25 ft.; 100 ft. if over 2 stories (adj. to MF or non res.)	50 ft.; 75 ft. if over two stories (adj. to SF) 25 ft.; 100 ft. if over 2 stories (adj. to MF or non res.)	3 ft.	No
Min. Rear Setback	N/A	N/A	N/A	N/A
Max. Height	3 stories (main structure); 1 story (accessory structure)	3 stories (main structure); 1 story (accessory structure)	3 stories (main structure); 1 story (accessory structure)	Yes
Max. Lot Coverage	40%	40%	40%	Yes
Parking	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	286.5 total 143 attached enclosed garages	342 total (orig. 343) 195 surface area (orig. 219) 40 detached garages 107 carports (orig. 84)	No

(9)

Note: The exterior of the façade will include brick and cementitious fiberboard to match Phase 1 of the Mark on Conquest.

Table 3: Apartment Unit Breakdown

Unit Description	Unit Count	Percentage Breakdown
1 Bedroom/1 Bath	116	62%
2 Bedroom/2 Bath	63	34%
3 Bedroom/2 Bath	9	4%
Total	188	100%

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 5 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

Special Exception/Variance Request:

Density

The maximum density allowed per MF2 zoning is 18 dwelling units per acre.

- The applicant is proposing a maximum of 18.08 dwelling units per acre.

Lot Area

The minimum lot area per MF2 zoning is 2,420 SF/Unit.

- The applicant is proposing a minimum lot area of 2,411 SF/Unit.

Dwelling Unit

The minimum size for a one bedroom dwelling unit is 600 sq. ft.

- The applicant is proposing a minimum size one bedroom dwelling unit of 568 sq. ft. The applicant intends to have an average size of 700 sq. ft. one bedroom units.

Unit Count

The maximum unit count allowed for the subject site is 187 units.

- The applicant is proposing to construct 188 units.

Front Setback

Any front setback adjacent to Single Family shall be 75 ft. if over two stories, and setback 100 ft. if over two stories if adjacent to Multi Family or Nonresidential.

- The applicant is proposing a 45 ft. setback (100 ft. required) along the North boundary and a 20 ft. setback (75 ft. required) along the South boundary.

Side Setback

Any side setback adjacent to Single Family shall be 75 ft. if over two stories, and setback 100 ft. if over two stories and adjacent to Multi Family or Nonresidential.

- The applicant is proposing a 3 ft. side yard setback (100 ft. required) along the West boundary and a 3 ft. side yard setback (75 ft. required) along the East boundary.

Parking (Garages)

The applicant is required to provide 50% attached enclosed garages of the required parking for the site.

- The applicant is proposing 40 detached enclosed garages of the 147 required attached enclosed garages.

Roof Pitch

The minimum roof pitch allowed for MF2 zoning is 7:12.

- The applicant is proposing a roof pitch of 5:12.

Parking (Landscape Screening)

Parking areas shall be screened along all streets (min. 3 ft. shrubs)

- A deviation is requested along the northern boundary of the property

Screening

Due to being adjacent to Single Family zoning (along the East and South side of the property), a min. 6ft. masonry wall is required.

- The applicant is proposing a 6 ft. wrought iron fence.

Building Separation

The minimum building separation requirement for multi-family residential buildings over two stories is 35 ft.

- The applicant is proposing a minimum building separation of 27 ft.

Refuse Facility

Every multi-family dwelling unit shall be located within 250 feet of a refuse facility, measured along the designated pedestrian and vehicular travel way. A refuse facility shall be a dumpster or other similar receptacle designed for receiving garbage in bulk for more than one dwelling. Refuse dumpsters shall be no closer than thirty (30) feet to any adjacent single-family property.

- Due to providing valet trash service as an amenity, the applicant ask that the proximity requirement for refuse facilities be waived.

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. Per the applicant's request, a Development Agreement will be required for the property.

ATTACHED EXHIBITS

1. Ordinance 2296 (Existing Ordinance)
2. Development Agreement/Ordinance
3. Location Exhibit
4. Site plan
5. Landscape Plan
6. Elevation/Façade Plan

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

(9)

ORDINANCE NO. 2296

AN ORDINANCE CHANGING THE ZONING ON 16.95 ACRES LOCATED SOUTH OF HWY. 287 BYPASS, 3/4 OF A MILE WEST OF FM 664, IN THE W.C. TUNNELL SURVEY, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AS SHOWN ON EXHIBIT "A," FROM PLANNED DEVELOPMENT-48-LIGHT INDUSTRIAL (PD-48-LI) TO PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF-2) WITH SPECIAL RESTRICTIONS ON 10.402 ACRES; REZONE RESIDUAL 6.542 ACRES OF 16.95 ACRE TRACT TO PLANNED DEVELOPMENT-47-MULTI-FAMILY-2 (PD-47-MF-2), 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, proper application for the change of zoning 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 rezoning thereto from Planned Development-48-Light Industrial (PD-48-LI) to Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-47-Multi-Family-2 (PD-47-MF-2); 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 rezoning from Planned Development-48-Light Industrial (PD-48-LI) to Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-47-Multi-Family-2 (PD-47-MF-2);

NOW, THEREFORE, the following described property be, and the same hereby is, rezoned from Planned Development-48-Light Industrial (PD-48-LI) to Planned Development-Multi-Family-2 (PD-MF-2) on the 10.402 acres, Exhibit "A" and Planned Development-47-Multi-Family-2 (PD-47-MF-2), this part to become part of PD-47-MF-2; on the 6.542 acre tract, Exhibit "B". The 10.402 acres is subject to the following:

Planned Development District permitting uses as prescribed in the Use Schedule of the Zoning Ordinance of Waxahachie, Texas for the "MF-2", Multiple-Family-2-Residence District, subject to the approval of a site plan by the Planning and Zoning Commission and City Council prior to the issuance of any Building Permit or Certificate of Occupancy for any structure or use on the premises. Such site plan shall set forth the areas designated for building use and those designated for off-street parking, recreation, yards, open space and related uses. The site plan shall also indicate all curbs, sidewalks, drainage facilities, drives, utility easements and service areas indicated as necessary for the proper use and function of the development.

The density, coverage, height, parking and area standards shall comply with the minimum standards specified for the MF-2, Multiple-Family-2 Residence District.

The requisite site plan may be approved in whole or in part provided the elements influencing the development of the entire tract, such as access, parking and circulation are considered by the partial site plan.

The MF-2 requirements on the 10.402 acres are amended as follows:

For retirement home use, one parking space is required for each dwelling unit, plus parking for employees as required by the City.

The front door of each apartment unit shall be no more than 300 feet from a fire line, if the project is fully sprinklered throughout the living space and attics.

(9)

The buildings shall not exceed 350 feet in length.

The total square feet for Usable Open Space shall be 1.5 acres, if activities and common areas totalling 50,250 square feet are provided inside.

16.95 acres located South of South Hwy. 287 Bypass, 3/4 of a mile West of FM 664, in the W.C. Tunnell Survey, City of Waxahachie, Ellis County, Texas, and being further described on Exhibit "A" attached hereto, in 2 parts.

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 21st day of March, 2005.



Joe Jenkins
MAYOR

Nancy Ross
City Secretary

(A)

FIELD NOTES
10.402 Acres

BEING all that certain lot, tract, or parcel of land situated in the W.C. Tinnell Survey, Abstract No. 1060, and being a part of a called 239.598 acre tract conveyed to Joe Hunt by deed recorded in Volume 1748, Page 245, of the Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a Yellow Highway Department monument found in the south line of U.S. Highway 287 Bypass (a double width right-of-way) for the Northeast corner of this tract and said 239.598 acre tract, said rod being the Northwest corner of a called 69.381 acre tract described by instrument recorded in Volume 217, Page 274 of the Deed Records, Ellis County, Texas;

THENCE S 00°33'45" E, 725.00 feet along the East line of this tract and said 239.598 acre tract and the West line of said 69.381 acre tract, to a 1/2" capped steel rod set for the southeast corner of this tract;

THENCE S 89°53'00" E, 825.00 feet into said 239.598 acre tract, along the East line of this tract, to a 1/2" capped steel rod set for the Southwest corner of this tract;

THENCE N 00°23'45" E, 725.00 feet through said 239.598 acre tract, along the West line of this tract, to a 1/2" capped steel rod set in the south line of said highway and the North line of said 239.598 acre tract, for the Northwest corner of this tract;

THENCE S 89°53'00" E (Deed - record bearing base), 825.00 feet along the South line of said highway and the North line of this tract and said 239.598 acre tract, to the POINT OF BEGINNING, and containing approximately 10.402 acres of land.

SURVEYOR'S DECLARATION

TO THE LEND HOLDERS AND/OR THE OWNERS AND/OR THE PURCHASERS OF THE
PREMISES SURVEYED AND TO: Trinity Abstract and Title Company

I hereby certify that in January, 2005, this survey was made on the ground as per the field notes shown on this survey and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown thereon, and correctly shows the location of all visible easements and rights-of-way.

Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by any improvements on the subject property and there are no conflicts or protrusions.

I further certify to the following conditions:

1. That no portion of the said tract lies within a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas, Map # 4813900001B.
2. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the tract, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect this property were not located during the course of this survey, but he made an attempt to locate as accurately as possible any underground utility indicated by above ground evidence.
3. Information in parenthesis are from public records (Deed-books).
4. Bearing sources are as per record plat or field notes description.
5. This survey was prepared in conjunction with Trinity Abstract and Title Company Commitment for Title Insurance, G.F. No. 70308, dated October 14, 2004. The easements, rights-of-way, or other exceptions noted herein are according to the Schedule B therein. The surveyor has not abstracted the property. Based on the easements and/or deeds furnished by the aforesaid title company, the following do not appear to affect the subject property:

Ellis Prairie Soil Conservation Dist. - 465/482; 474/33 DRECT
Texas Power & Light Co. - 494/44; 370/318; 539/437; 539/439; 366/566 DRECT
Southwestern Bell Tele. Co. - 350/329 DRECT
State of Texas - 439/286 DRECT
City of Waco, Texas - 1865/4 ORECT

6. Unless otherwise labeled, all property corners indicated as "Set" are 1/2" diameter steel rods with yellow plastic caps marked (RPLS 1486)

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 4 Survey.

Walter Keven Davis
Walter Keven Davis, R.P.L.S. # 4486
Davis & McMill

1/13/05
Date

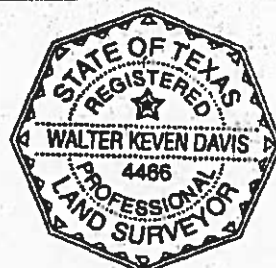


EXHIBIT A

EXHIBIT PLAT
10.402 Acres

(9)

FIELD NOTES
EXISTING PD-48 LI-1 ZONING
PROPOSED PD MF-2 ZONING
6.542 Acres

BEING all that certain lot, tract, or parcel of land situated in the W. C. TUNNELL SURVEY, ABSTRACT No. 1080, and being a portion of a called 239.598 acre tract of land conveyed to Joe Rust by deed recorded in Volume 1746, Page 2455 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" steel rod set in the east line of the 239.598 acre tract for the lower northeast corner of this tract and which bears S 00°23'45" W, 725.00 feet from a Texas Highway Department monument found in the south line of U. S. HIGHWAY 287 BYPASS, a variable width public right-of-way, for the northeast corner of the called 239.598 acre tract and being the northwest corner of a called 69.351 acre tract of land described by instrument recorded in Volume 717, Page 274 of the Deed Records of Ellis County, Texas (DRECT);

THENCE S 00°23'45" W, 81.00 feet along the lower east line of this tract and east line of the said 239.598 acre tract and the west line of said 69.351 acre tract to the southeast corner of this tract;

THENCE N 89°37'58" W, 918.59 feet into said 239.598 acre tract along the south line of this tract to the southwest corner of this tract;

THENCE N 00°26'36" E, 797.54 feet through said 239.598 acre tract along the west line of this tract to the northwest corner of this tract in the south line of said highway and the north line of said 239.598 acre tract;

THENCE along the south line of said highway and the north line of said 239.598 acre tract as follows:

N 87°15'00" E, 88.93 feet to a 5/8" steel rod found; and S 89°53'00" E (Deed - record bearing basis), 204.14 feet to a point for the upper northeast corner of this tract;

THENCE into the said 239.598 acre tract and along the upper east line and lower north line of this tract as follows: S 00°23'45" W, 725.00 feet to a point for the inset northeast corner of this tract and S 89°53'00" E, 625.00 feet to the POINT OF BEGINNING and containing approximately 6.542 acres of land.

Surveyors Declaration:

I hereby declare that the foregoing field notes were prepared by me and based on an actual survey made on the ground under my supervision in March, 2005.

Walter Keven Davis 3/3/05
Walter Keven Davis
RPLS # 4466
Davis & McDill



EXHIBIT A

(9)
FIELD NOTES
EXISTING PD-48 LI-1 ZONING
PROPOSED PD MF-2 ZONING
16.944 Acres

BEING all that certain lot, tract, or parcel of land situated in the W. C. TUNNELL SURVEY, ABSTRACT No. 1080, and being a portion of a called 239.598 acre tract of land conveyed to Joe Rust by deed recorded in Volume 1746, Page 2455 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a Texas Highway Department monument found in the south line of U. S. HIGHWAY 287 BYPASS, a variable width public right-of-way, for the northeast corner of this tract and said 239.598 acre tract, said rod being the northwest corner of a called 69.351 acre tract of land described by instrument recorded in Volume 717, Page 274 of the Deed Records of Ellis County, Texas (DRECT);

THENCE S 00°23'45" W, 806.00 feet along the east line of this tract and said 239.598 acre tract and the west line of said 69.351 acre tract to the southeast corner of this tract;

THENCE N 89°37'58" W, 918.59 feet into said 239.598 acre tract along the south line of this tract to the southwest corner of this tract;

THENCE N 00°26'36" E, 797.54 feet through said 239.598 acre tract along the west line of this tract to the northwest corner of this tract in the south line of said highway and the north line of said 239.598 acre tract;

THENCE along the south line of said highway and the north line of said 239.598 acre tract as follows:

N 87°15'00" E, 88.93 feet to a 5/8" steel rod found;

S 89°53'00" E (Deed - record bearing basis), 829.14 feet to the POINT OF BEGINNING and containing approximately 16.944 acres of land.

Walter Keven Davis

Walter Keven Davis, RPLS #4466
Davis and McDill, Inc.



OWNER/DEVELOPER:

Joe Rust
440 Gingerbread Lane
Waxahachie, TX 75165
Phone: 972-333-4143

EXHIBIT "B"

ZONING PLAT
EXISTING PD-48 LI-1 ZONING
PROPOSED PD MF-2 ZONING
16.944 Acres

U.S. HIGHWAY 287 BYPASS Variable width R.O.W.

Frontage road - asphalt pavement

(Dead - record drop bench)

1/2" CRS S 89°53'00" E 625.00'

15' T.M.C. Co. elec. cont. 725/220 DIRECT

T.M.C. Monument Fnd. (1/2" CRS in place)

10.402 Ac.

60.351 Ac. 717/274 DIRECT

residual of 230.598 Ac. Joe Rust 1746/2453 DIRECT

1/2" CRS N 00°23'45" E 725.00'

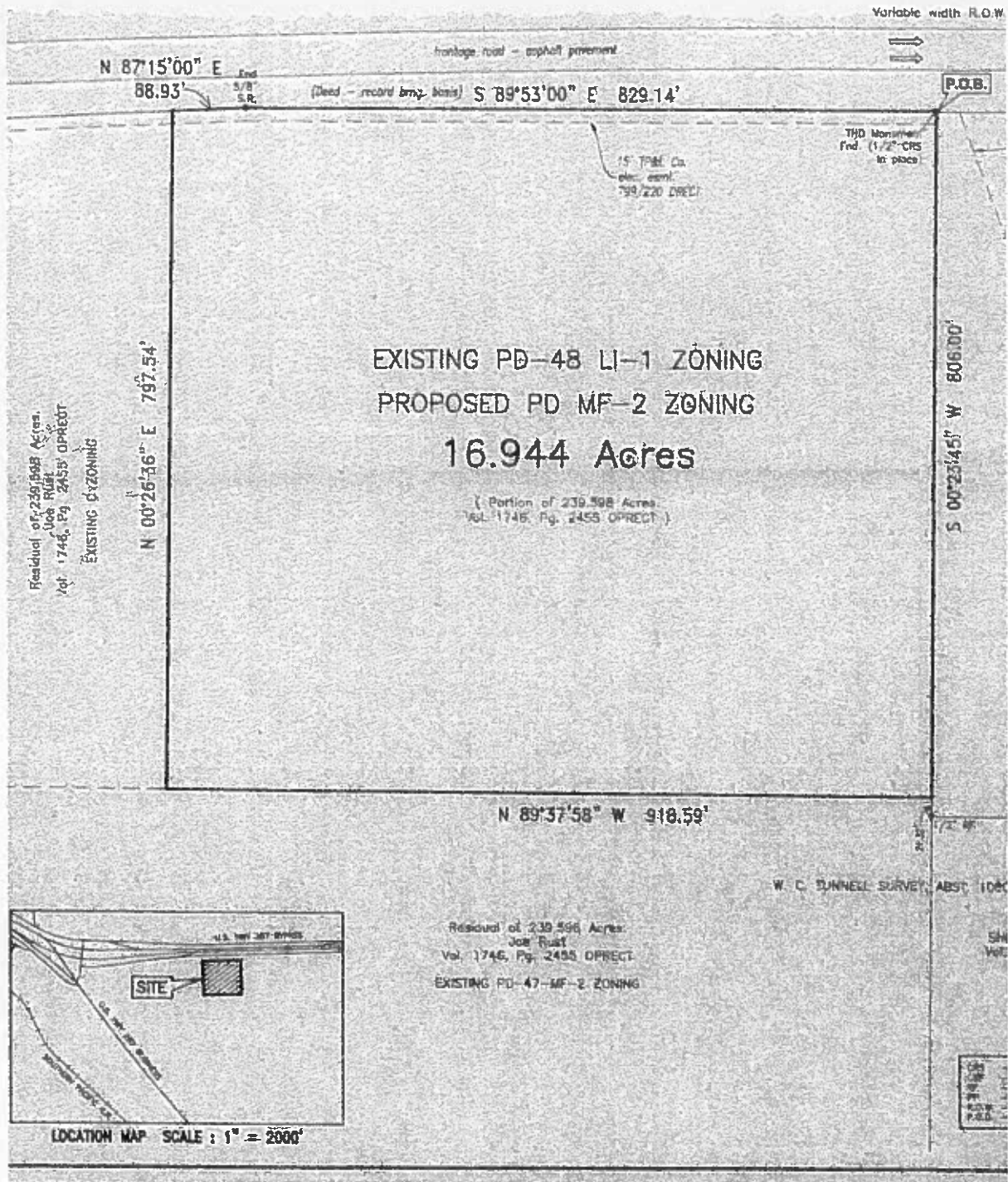
1/2" CRS S 00°23'45" W 725.00'

1/2" RF

1/2" CRS

LOCATION MAP SCALE: 1" = 2000'

(9)



The Mark on Conquest Phase II PD Ordinance

ORDINANCE NO. _____

AN AMENDMENT TO ORDINANCE 2296 AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-MULTI FAMILY-2 (PD-MF2) TO PLANNED DEVELOPMENT-MUTI FAMILY-2 (PD-MF2), WITH AMENDED ORDINANCE LOCATED AT THE INTERSECTION OF CONQUEST BOULEVARD AND US HIGHWAY 287, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 10.407 ACRES KNOWN AS A PORTION OF PROPERTY ID 191628 OF ABSTRACT 1080 OF THE WM C TUNNELL SURVEY, 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 Site Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-84-2020. 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-MF2 to PD-MF2 with Amended Ordinance, with Site 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-MF2 to PD-MF2 with Amended Ordinance, with Site Plan in order to facilitate development of the subject property in a manner that allows multi family residential (apartments) structures on the following property: a portion of Property ID 191628 of Abstract 1080 of the WM C Tunnell Survey, which is shown on Exhibit A, Site Plan shown as Exhibit B, Landscape Plan shown as Exhibit C, and the Elevation/Façade Plan shown as Exhibit D.

PLANNED DEVELOPMENT**Purpose and Intent**

The purpose of this planned development to create a multi family residential (apartments) 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 B).

Development Regulations

1. Per the applicant's request, a Developer's Agreement will be required for the property.
2. The maximum density allowed for the second phase development shall be 18.08 dwelling units per acre.
3. The minimum lot area shall be 2,411 SF/Unit.
4. The minimum one bedroom unit size for the development shall be 568 sq. ft.
5. The maximum unit count for the development shall be 188 units.
6. The minimum front yard setback shall be 45 ft. setback along the North boundary and a 20 ft. setback along the South boundary.
7. The minimum side yard setback shall be 3 ft. side yard setback along the West boundary and a 3 ft. side yard setback along the East boundary.
8. A minimum of 40 detached enclosed garages and 107 carports shall be provided for the development.
9. The minimum roof pitch shall be 5:12.
10. A 6ft. wrought iron fence with masonry columns spaced every 30ft. shall be constructed adjacent to Single Family zoning (along the East and South side of the property).
11. A minimum building separation of 27ft. shall be required for the development.
12. The exterior of the project shall include brick and cementitious fiber board to match the aesthetic of The Mark on Conquest Phase 1 apartments. Buildings 1, 5, 6, and 8 of the development shall consist of faux design features to dress up the side elevations of buildings facing existing and future ROW to mitigate any "blank wall" appearance. This shall include masonry columns, Juliet balconies, and faux windows.
13. The Site Plan shall conform as approved by the City Council under case number ZDC-84-2020.
14. Any zoning, land use requirement, or restriction not contained within this zoning ordinance or Development Agreement shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, Exhibit C – Landscape Plan, and Exhibit D – Elevation/Façade Plan. Where regulations are not specified in Exhibits B, C, D, or in this ordinance, the regulations of Multi Family-2 zoning of the City of Waxahachie Zoning Ordinance shall apply to this development.
15. A detailed Site Plan packet shall be administratively reviewed and approved in accordance with the Site/Concept Plan.
16. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

(10)

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

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

PASSED, APPROVED, AND ADOPTED on this 3rd day of August, 2020.

MAYOR

ATTEST:

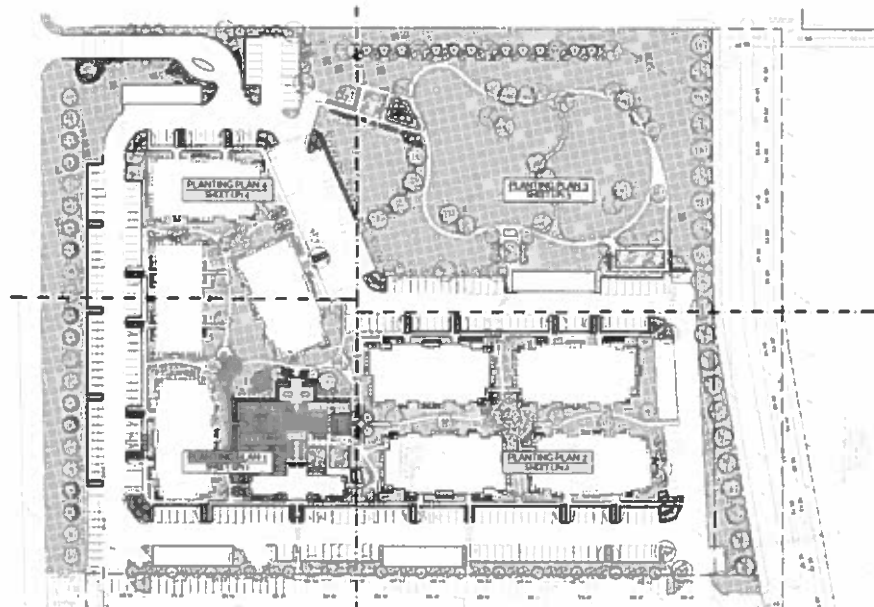
City Secretary

(10)



(10)

Exhibit C - Landscape Plan



LANDSCAPE PLAN
SITE OVERVIEW

Valley Quest
DESIGN

LANDSCAPE ARCHITECTS
801 S. DOW ST. STE. 100
DARTON, TEXAS 75049
PH: 214.931.5756

CONSULTANT

OWNER / CLIENT

Dist #18 462
C/O CH2M HILL
PO Box 10000 DALLAS
TEXAS 75208
C/O CH2M HILL

Project No.	Revision

Rev	Date	Description

These are not
documents, but for
regulatory approval
purposes in
construction.
Issued by: [Signature]
Title: [Title]

PROJECT

The Mark at Conquest
A Luxury Hotel & Family
Competition
Case Number
200-00-0000

Worksheet: Texas

SHEET TITLE:

LANDSCAPE PLAN

SHEET NUMBER

LP1.0

Exhibit C - Landscape Plan

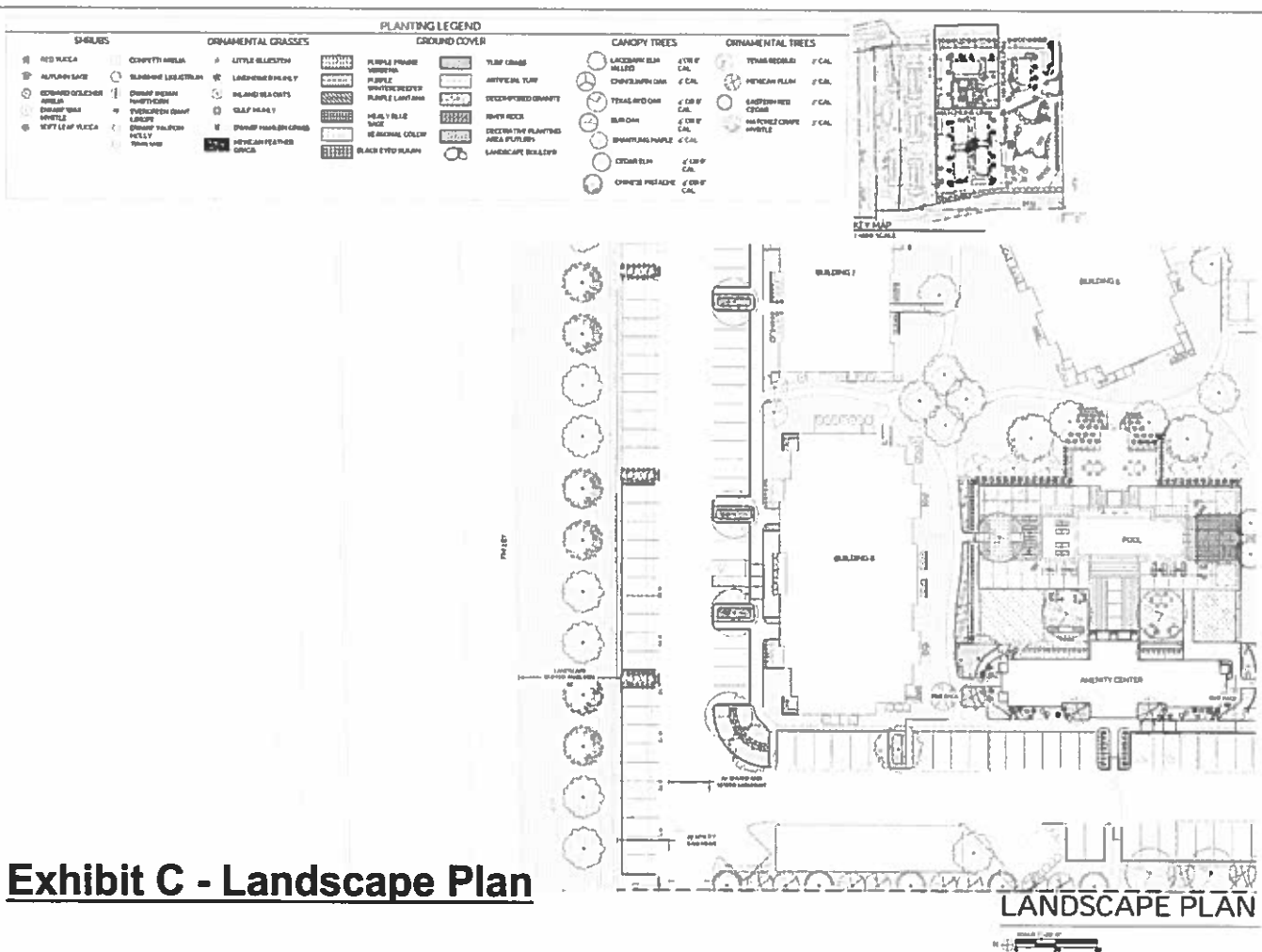




Exhibit C - Landscape Plan

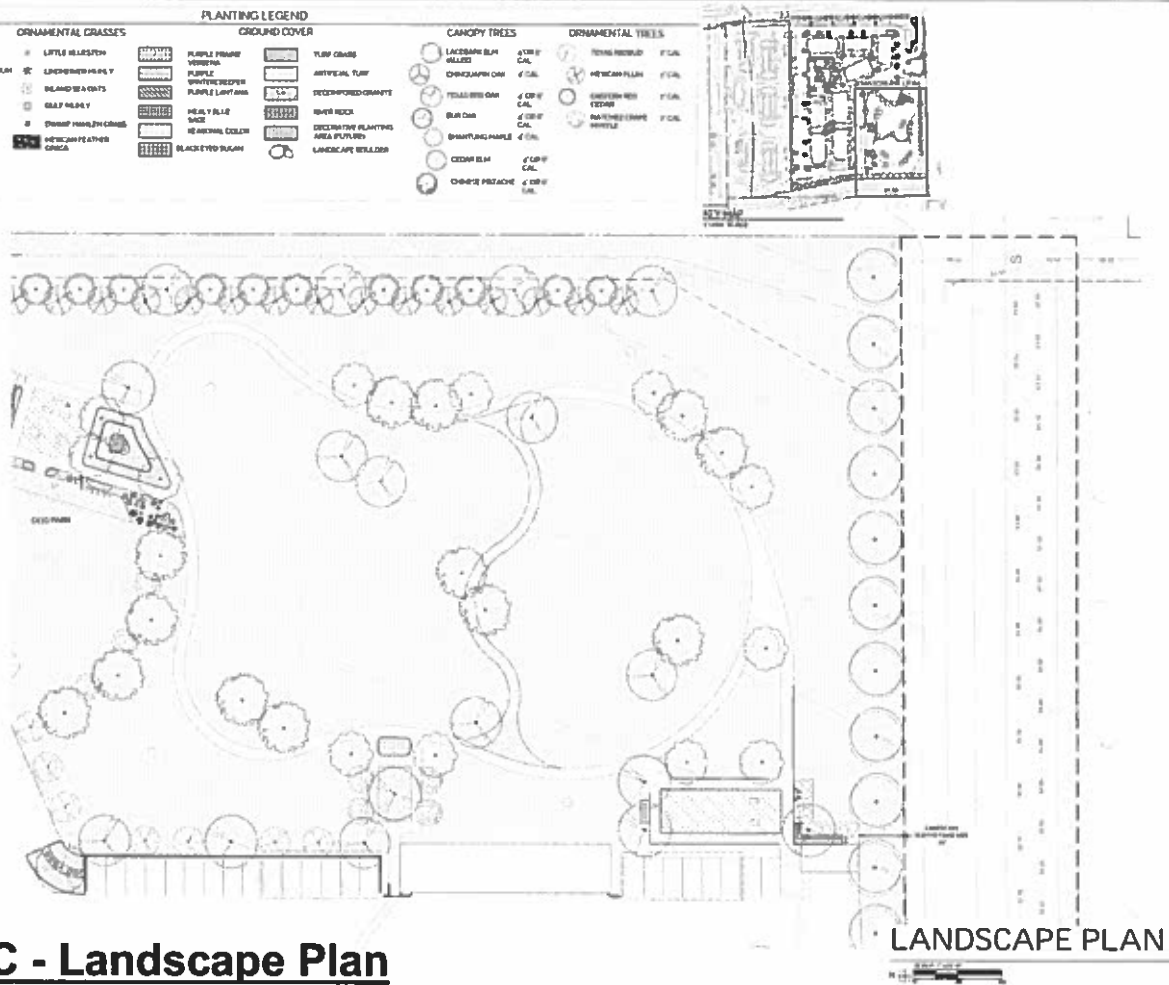
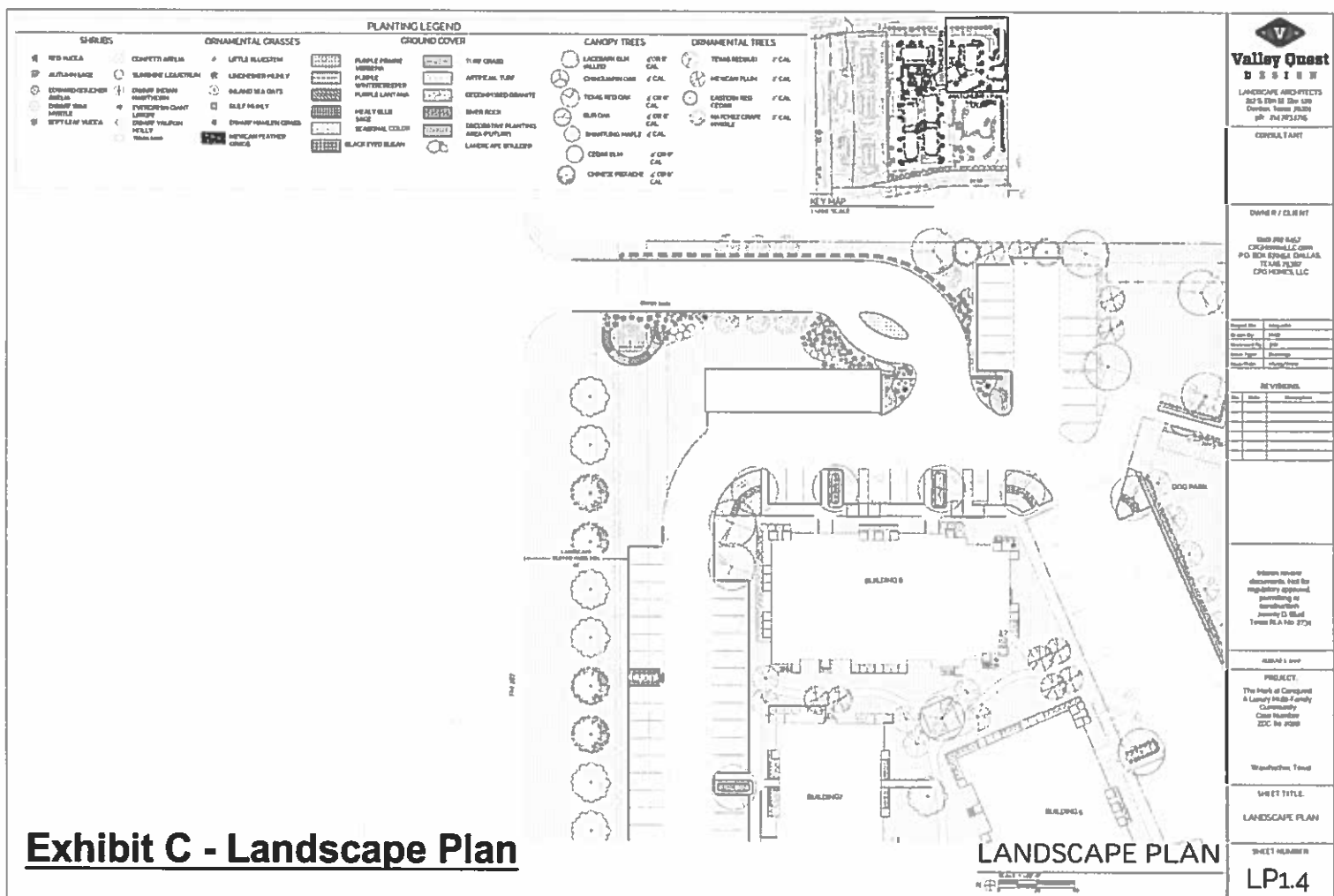


Exhibit C - Landscape Plan



(10)



This architectural drawing shows the front elevation of a two-story building. The structure features a gabled roof with a central dormer window. The facade is composed of horizontal siding. On the ground floor, there is a central entrance door flanked by two large, multi-paned windows. The second floor has two similar large windows. The drawing includes various annotations such as '1/2\"/>

BLDG. TYPE 1 - Left End Elevation

BUILDING TYPE J VENTILATION REQUIREMENTS	
Room	CFM
Entry	15

[illegible]

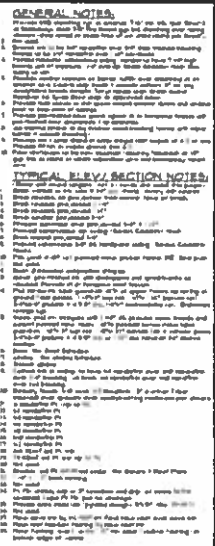
MUCASEY
Associates
Architects
4000 Schuman, Suite 200
San Diego, CA 92121
Tel: (619) 526-1200
Fax: (619) 526-1100
Equal Opportunity Employer
M-F 9:00am-5:00pm

THE MARK AT CONQUEST PHASE II
A Luxury Multi-Family Community
Newark, New Jersey
July 1984

NAME JOHN DOE
 DOB 12/15/1980
 SSN 123-45-6789
 ADDRESS 123 MAIN ST
 CITY ANYTOWN
 STATE CA
 ZIP 90210

A4.2

Exhibit D - Elevation/Facade Plan



BLDG. TYPE 2 - Driveway (Front) Elevation



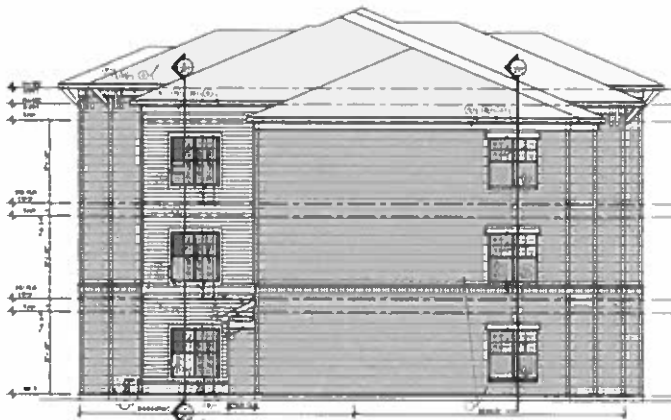
(10)



BLDG. TYPE 2 - Courtyard (Back) Elevation

- GENERAL NOTES:**
1. General notes shall be read in conjunction with the drawings and specifications.
 2. The drawings shall be read in conjunction with the specifications and general notes.
 3. The drawings shall be read in conjunction with the specifications and general notes.
 4. The drawings shall be read in conjunction with the specifications and general notes.
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 8. The drawings shall be read in conjunction with the specifications and general notes.
 9. The drawings shall be read in conjunction with the specifications and general notes.
 10. The drawings shall be read in conjunction with the specifications and general notes.
- TYPICAL SECTION NOTES:**
1. Typical section notes shall be read in conjunction with the drawings and specifications.
 2. The drawings shall be read in conjunction with the specifications and general notes.
 3. The drawings shall be read in conjunction with the specifications and general notes.
 4. The drawings shall be read in conjunction with the specifications and general notes.
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 8. The drawings shall be read in conjunction with the specifications and general notes.
 9. The drawings shall be read in conjunction with the specifications and general notes.
 10. The drawings shall be read in conjunction with the specifications and general notes.

BLDG. TYPE 2 GENERAL NOTES	
Quantity	20%
Notes	20%



BLDG. TYPE 2 - Left End Elevation

Exhibit D - Elevation/Facade Plan



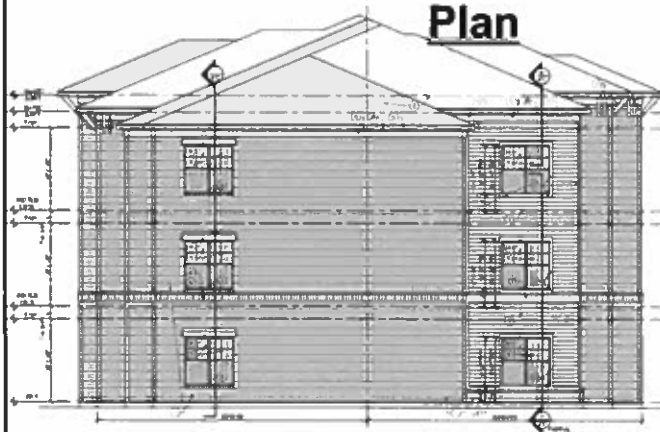
MUCASEY & Associates
Architects

2000 Adams, Suite 200
Houston, Texas 77002
Tel: 713.771.2000
Fax: 713.771.2001
www.mucasey.com

THE MARK AT CONQUEST PHASE II
A Luxury Multi-Family Community

A4 4

Exhibit D - Elevation/Facade Plan

[illegible]

An architectural elevation drawing of a three-story building facade. The drawing shows a symmetrical design with a central entrance area featuring a small balcony on the second floor. To the left of the center are three windows stacked vertically, each with a decorative frame. To the right of the center are three more windows stacked vertically. The building has a gabled roof with decorative brackets under the eaves. A north arrow is located at the top center. On the far right, there is a legend box with symbols for materials like brick and wood, and notes about window types and door swings. Dimensions are indicated at the bottom with arrows and numbers.

BLDG. TYPE 3 - Bldg. #5 & 6 End Elevation

(10)



BLDG. TYPE 3 - Courtyard (Back) Elevation



BLDG. TYPE 3 - Left End Elevation

Exhibit D - Elevation/Facade Plan

BLDG. TYPE 3
VIEWED PERCENTAGE
Viewing
Being

GENERAL NOTES:

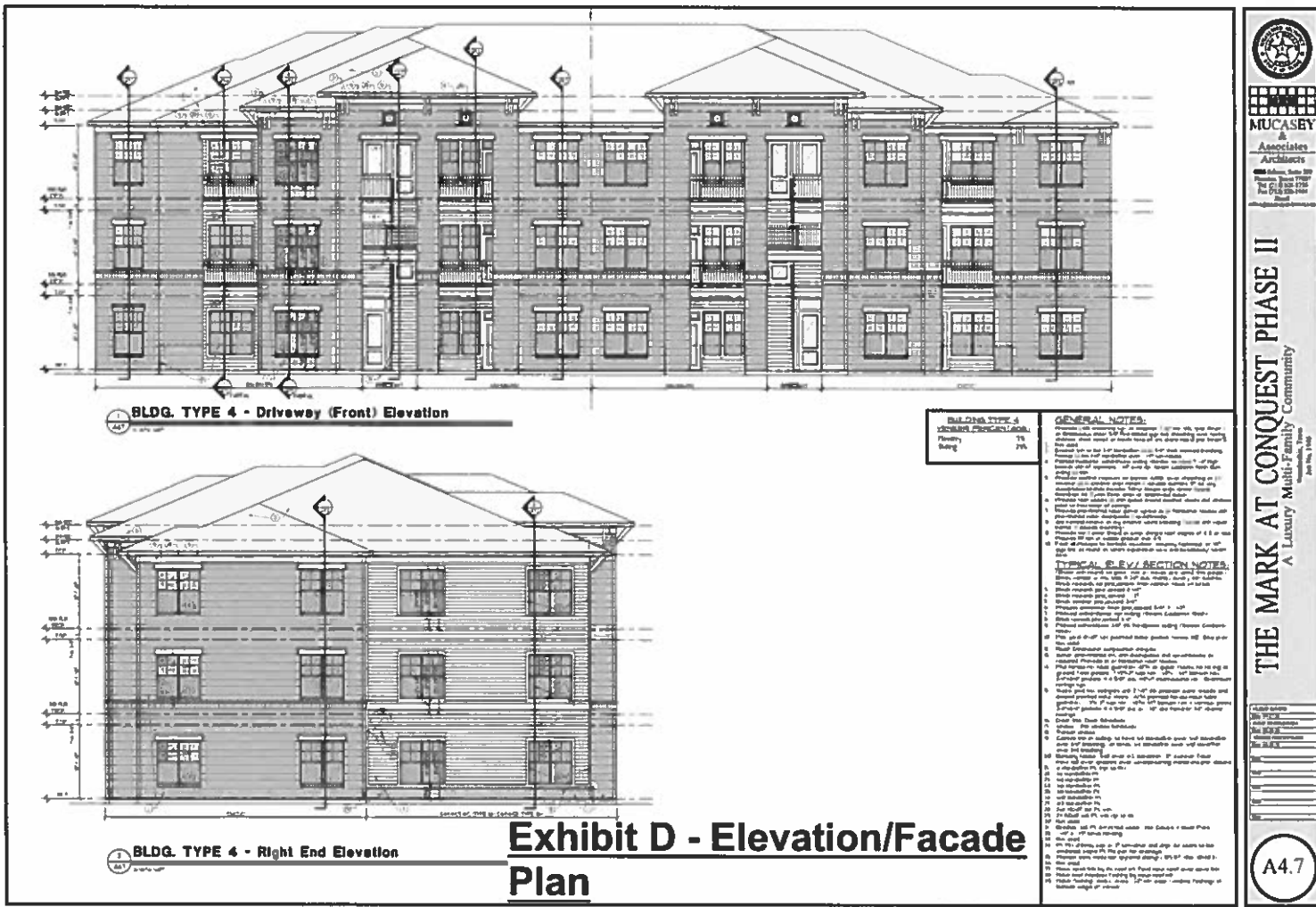
1. All work shall be in accordance with the City of Los Angeles Building Department and the California Building Code.
2. All materials shall be of the highest quality and shall be installed in accordance with the manufacturer's instructions.
3. All work shall be completed within the specified time frame.
4. All work shall be done in a safe and sound manner.
5. All work shall be done in a clean and professional manner.
6. All work shall be done in a timely and efficient manner.
7. All work shall be done in a cost-effective manner.
8. All work shall be done in a safe and sound manner.
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96. All work shall be done in a safe and sound manner.
97. All work shall be done in a clean and professional manner.
98. All work shall be done in a timely and efficient manner.
99. All work shall be done in a cost-effective manner.
100. All work shall be done in a safe and sound manner.

MUCASEY & Associates Architects
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Beverly Hills, CA 90212
Tel: 310.274.1111
Fax: 310.274.1112
www.mucasey.com

THE MARK AT CONQUEST PHASE II
A Luxury Multi-Family Community

A4.6

(10)



(10)



BLDG. TYPE 4 - Courtyard (Back) Elevation



BLDG. TYPE 4 - Left End Elevation

Exhibit D - Elevation/Facade Plan

BLDG. TYPE 4
VIEWPORT
1

- GENERAL NOTES:**
1. All work shall be in accordance with the latest edition of the International Building Code (IBC) and the latest edition of the International Residential Code (IRC).
 2. All materials shall be of the highest quality and shall be installed in accordance with the manufacturer's instructions.
 3. All work shall be completed in a timely manner and shall be subject to inspection by the local building department.
 4. All work shall be completed in a safe manner and shall be subject to inspection by the local building department.
 5. All work shall be completed in a clean manner and shall be subject to inspection by the local building department.
 6. All work shall be completed in a professional manner and shall be subject to inspection by the local building department.
 7. All work shall be completed in a safe manner and shall be subject to inspection by the local building department.
 8. All work shall be completed in a clean manner and shall be subject to inspection by the local building department.
 9. All work shall be completed in a professional manner and shall be subject to inspection by the local building department.
 10. All work shall be completed in a safe manner and shall be subject to inspection by the local building department.
- TYPICAL ELEV./SECTION NOTES:**
1. All work shall be in accordance with the latest edition of the International Building Code (IBC) and the latest edition of the International Residential Code (IRC).
 2. All materials shall be of the highest quality and shall be installed in accordance with the manufacturer's instructions.
 3. All work shall be completed in a timely manner and shall be subject to inspection by the local building department.
 4. All work shall be completed in a safe manner and shall be subject to inspection by the local building department.
 5. All work shall be completed in a clean manner and shall be subject to inspection by the local building department.
 6. All work shall be completed in a professional manner and shall be subject to inspection by the local building department.
 7. All work shall be completed in a safe manner and shall be subject to inspection by the local building department.
 8. All work shall be completed in a clean manner and shall be subject to inspection by the local building department.
 9. All work shall be completed in a professional manner and shall be subject to inspection by the local building department.
 10. All work shall be completed in a safe manner and shall be subject to inspection by the local building department.



THE MARK AT CONQUEST PHASE II
A Luxury Multi-Family Community



BLDG. TYPE 5 - Driveway (Front) Elevation

BLDG. TYPE 5 - Right End Elevation

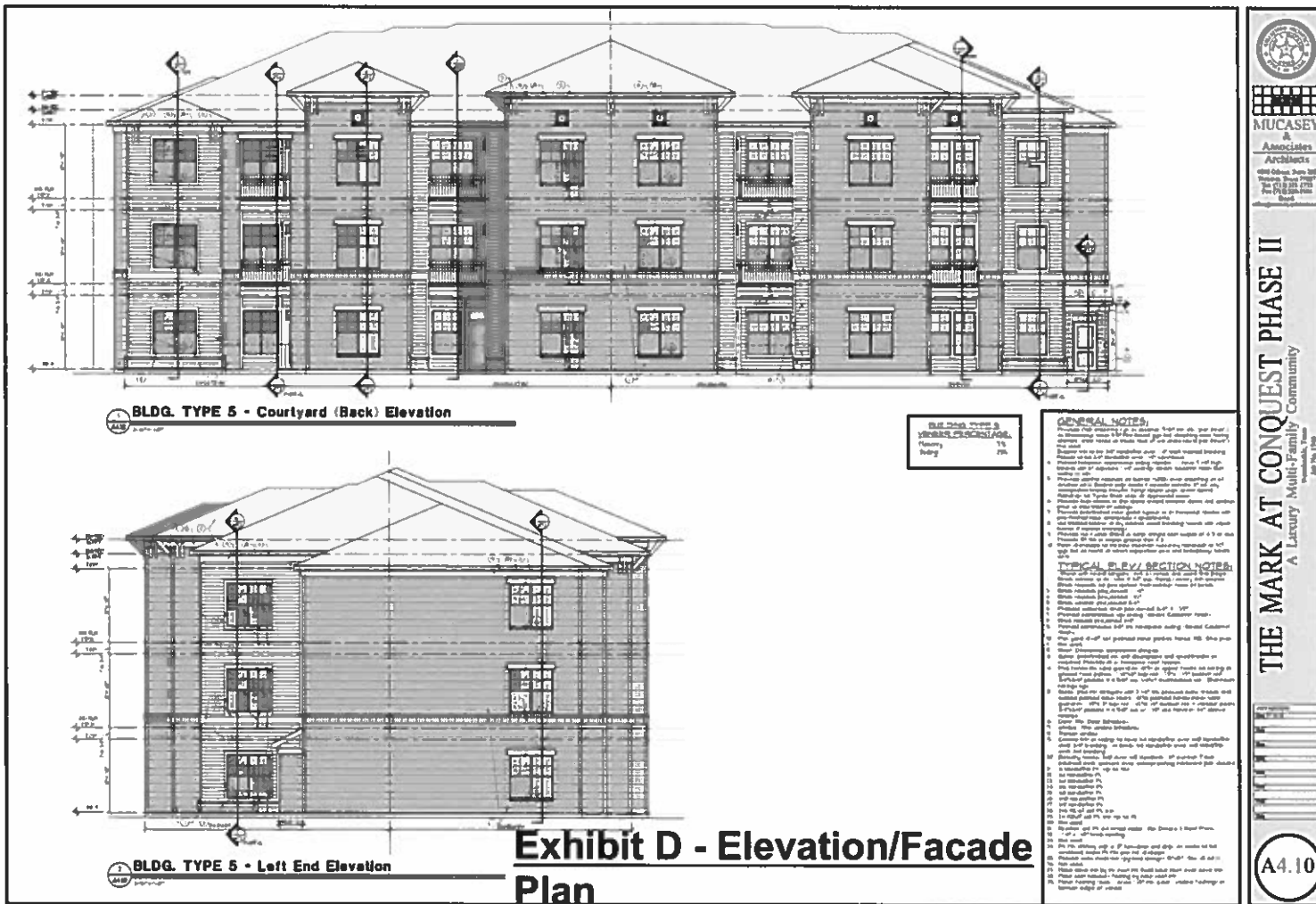
GENERAL NOTES:

1. All elevations are shown in black ink on white paper.
2. All dimensions are in feet and inches.
3. All materials are to be as specified in the schedule.
4. All work is to be in accordance with the latest edition of the Building Code of the City of New York.
5. All work is to be in accordance with the latest edition of the National Building Code.
6. All work is to be in accordance with the latest edition of the International Building Code.
7. All work is to be in accordance with the latest edition of the American Institute of Architects.
8. All work is to be in accordance with the latest edition of the American Institute of Architects.
9. All work is to be in accordance with the latest edition of the American Institute of Architects.
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18. All work is to be in accordance with the latest edition of the American Institute of Architects.
19. All work is to be in accordance with the latest edition of the American Institute of Architects.
20. All work is to be in accordance with the latest edition of the American Institute of Architects.

TYPICAL ELEV. SECTION NOTES:

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2. All dimensions are in feet and inches.
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20. All work is to be in accordance with the latest edition of the American Institute of Architects.

(10)



(11)

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

**DEVELOPMENT AGREEMENT
FOR THE MARK ON CONQUEST – PHASE 2**

This Development Agreement for The Mark on Conquest – Phase 2 ("**Agreement**") is entered into between The Mark on Conquest II Owner, LLC ("**TMCII**") and the City of Waxahachie, Texas ("**City**"). TMCII and the City are sometimes referred herein together as the "**Parties**" and individually as a "**Party**."

Recitals:

1. TMCII is the owner of approximately 10.409 acres of real property generally located at the intersection of Conquest Boulevard and US Highway 287, parcel number 191628, in the City of Waxahachie, Texas (the "**Property**"), for which he has requested a change in the Property's Planned Development-Multi Family-2 zoning to a Planned Development ("**PD**") Multi Family-2 zoning with an amended ordinance, revising specific development standards. The Property is currently zoned Planned Development-Multi Family-2 by the City, and is anticipated to have the zoning changed to a new PD zoning on August 3, 2020.

2. The planned use of the Property is to create a Planned Development to allow for the development of multi family residential structures (apartments). The PD zoning process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards, as well as providing TMCII with agreed-upon and negotiated standards consistent with their business objectives.

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

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in The Mark on Conquest Phase II PD Ordinance as contractually-binding obligations between the City of Waxahachie and TMCII, and to recognize TMCII's reasonable investment-backed expectations in The Mark on Conquest Phase II PD Ordinance and the planned development of The Mark on Conquest Phase II.

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

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

(11)

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

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in The Mark on Conquest Phase II PD Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of TMCII. TMCII, agrees to:

- Per the applicant's request, a Developer's Agreement will be required for the property.
- The maximum density allowed for the second phase development shall be 18.08 dwelling units per acre.
- The minimum lot area shall be 2,411 SF/Unit.
- The minimum one bedroom unit size for the development shall be 568 sq. ft.
- The maximum unit count for the development shall be 188 units.
- The minimum front yard setback shall be 45ft. setback along the North boundary and a 20ft. setback along the South boundary.
- The minimum side yard setback shall be 3ft. side yard setback along the West boundary and a 3ft. side yard setback along the East boundary.
- A minimum of 40 detached enclosed garages and 107 carports shall be provided for the development.
- The minimum roof pitch shall be 5:12.
- A 6ft. wrought iron fence with masonry columns spaced every 30ft. shall be constructed adjacent to Single Family zoning (along the East and South side of the property).
- A minimum building separation of 27ft. shall be required for the development.
- The exterior of the project shall include brick and cementitious fiber board to match the aesthetic of The Mark on Conquest Phase I apartments. Buildings 1, 5, 6, and 8 of the development shall consist of faux design features to dress up the side elevations of buildings facing existing and future ROW to mitigate any "blank wall" appearance. This shall include masonry columns, Juliet balconies, and faux windows.
- The Site Plan shall conform as approved by the City Council under case number ZDC-84-2020.
- A detailed Site Plan packet shall be administratively reviewed and approved in accordance with the Site/Concept Plan.
- The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

(11)

In consideration of TMCII's agreement in this regard, the City of Waxahachie agrees that TMCII has reasonable investment-backed expectations in The Mark on Conquest Phase II PD Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in The Mark on Conquest Phase II PD Ordinance without impacting TMCII's reasonable investment-backed expectations.

Section 4. Miscellaneous

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

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

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

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

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

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

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

(11)

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

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon TMCII and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

{Signature Pages Follow}

(11)

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

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

: The Mark on Conquest II Owner, LLC

By: _____

Date: _____

(11)

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, 2020, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, 2020, personally appeared _____, representative of The Mark on Conquest Phase II Owner, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(12,13,14)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: July 30, 2020

Re: ZDC-77-2020 – Gala at Waxahachie

On July 30, 2020, the applicant requested to continue case no. ZDC-77-2020 from the August 3, 2020 City Council meeting agenda to the August 17, 2020 City Council meeting agenda.



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: July 31, 2020
Re: Bid Award – Northgate Drive Panel Pavement Replacement

On Monday, August 3, 2020, a bid award associated with the pavement replacement of Northgate Drive east of US77 will appear before the City Council in an amount of \$232,218.13. Staff is also recommending City Council approve funding for a project contingency in the amount of \$15,000.

This project was originally planned as a full pavement replacement from US 77 to the east property line of Wal-Mart. However after further engineering analysis was conducted, staff determined that a full pavement replacement was not needed and individual concrete panels could be replaced. As a result, this project includes the replacement of 56 damaged concrete pavement panels on Northgate Drive between US77 and Stadium Drive. The project also extends the sidewalk along the north side of the road from the current sidewalk at the convenience store driveway to the school crosswalk.

There were 9 bidders for this project and J & K Excavation, LLC was the lowest responsible bidder. This bid was \$6,172.97 less than the next lowest responsible bidder. This project is a planned expense and the City budgeted \$300,000 to fund this scope of work.

I am available at your convenience should you need any additional information.

Tommy Ludwig

(15)

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhcllp.com

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

July 30, 2020

Mr. James Gaertner, P.E., CFM
Director of Public Works & Engineering
City of Waxahachie
P. O. Box 757
Waxahachie, Texas 75168-0757

Re: Northgate Drive Pavement Replacement Project - Project No. 19-009
Bid Tabulation & Evaluation

Dear Mr. Gaertner:

We have checked the bids received at 2:00 p.m., Thursday, July 16, 2020, for the Northgate Drive Pavement Replacement Project. We are enclosing two (2) copies of the Bid Summary.

J & K Excavation of Italy, Texas submitted the low bid in the amount of \$232,218.13. We are familiar with and have confidence in J & K Excavation who has successfully completed a variety of similar projects for the City of Waxahachie. Additionally, at the request of the City, we have reviewed their current financial statement, balance sheet and income statement and find that J & K Excavation appears to have the financial resources to successfully complete this project.

Accordingly, based on the information we have available to us, we recommend that the City accept the bid from J & K Excavation and award them a contract in the amount of \$232,218.13 for construction of the Northgate Drive Pavement Replacement Project.

We are available to discuss our recommendation further at your convenience.

Sincerely,



Joseph T. Grajewski, P.E.

Enclosures

Cc: Mr. Jim Lockart, P.E., CFM

(15)

**CITY OF WAXAHACHIE, TEXAS
Northgate Drive
Pavement Replacement**

BID SUMMARY

Bids Received at 2:00 p.m., Thursday, July 16, 2020

<u>Contractor</u>	<u>Total Amount Bid</u>
1. J & K Excavation P.O. Box 886 Italy, Texas 76651 Joshua Trees 972-923-2250 jkexcavation@yahoo.com	\$ <u>232,218.13</u>
2. Reliable Paving, Inc. 1903 North Peyco Drive Arlington, Texas 76001 Charles Long 817-467-0779 steven@reliablepaving.com	\$ <u>238,901.10</u>
3. B & B Concrete & Sawing, Inc. 1830 Garden Springs Dallas, Texas 75253 Danny Spoerl 972-286-6853 dspoerl1958@yahoo.com	\$ <u>243,000.00</u>
4. XIT Paving and Construction, Inc. 3934 South Highway 287 Waxahachie, Texas 75165 Doug Spradley 972-351-9906 doug@xitpaving.com	\$ <u>248,872.00</u>
5. Cam-Crete Contracting, Inc. P.O. Box 3312 Cedar Hill, Texas 75106 Beatrice Camarillo 214-514-0671 beatrice@cam-crete.net	\$ <u>250,685.00</u>
6. Pavecon Public Works 3022 Roy Orr Blvd Grand Prairie, Texas 75053 Jeremiah Brooks 214-415-2431 jbrooks@pavecon.com	\$ <u>267,816.00</u>

(15)

- | | | |
|----|---|----------------------|
| 7. | HZ Paving Construction, LLC
1226 Jackson Street
Red Oak, Texas 75154
Maritza Alvarado
469-853-3664
hzpaving@gmail.com | <u>\$ 296,926.00</u> |
| | | |
| 8. | SEMA Construction, Inc.
2331 Mustang Drive Ste 300
Grapevine, Texas 76051
Steve Hathaway
817-251-5000
estimating.tx@semaconstruction.com | <u>\$ 353,630.00</u> |
| | | |
| 9. | McClendon Construction Co., Inc.
P.O. Box 999
Burleson, Texas 76097
Justin Blair
817-295-0066
jblair@mcclendonconstruction.com | <u>\$ 380,678.50</u> |



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: July 31, 2020
Re: Phase I Monticello Dr. Corridor Rehabilitation (Engineering)

On Monday August 3, 2020 an item authorizing professional services with Kimley-Horn Associates, Inc. for engineering services associated with the phase I rehabilitation of Monticello Drive will appear before City Council for consideration in the amount of \$232,000. Monticello Drive, originally constructed in 1955 as part of the Bell-Vue Addition, is one of the roadways included in the corridor rehabilitation capital improvement program. Monticello is planned for rehabilitation in two phases. This first phase of rehabilitation is for the section of Monticello between Pensacola Ave and Cumberland Road. The second phase is from Pensacola Ave to Richmond Lane.

The scope of work for this item will include engineering for complete replacement of the asphalt road with concrete, replacement of the water and sewer lines, addition of sidewalks and street lights. The scope also includes evaluation of drainage improvements. The existing drainage patterns for the subdivision is all surface flow. The evaluation will consider improvements including possible addition of an underground storm drain system.

Funding was originally included in the FY19-20 Public Works operations budget to perform engineering services for Chiles Street, within Bell-Vue Addition. However upon further analysis, staff recommends to engineer and construct Monticello prior Chiles, due to elevations associated the sewer and drainage systems. Funding for construction of phase I is planned as part of the FY 20-21 budget, with construction of phase II planned in the FY21-22 budget.

I am available at your convenience should you need additional information.

Tommy Ludwig



Memorandum

To: Honorable Mayor and City Council

From: Gumaro Martinez, Assistant Director of Parks & Recreation *G.M.*

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

Date: July 29, 2020

Re: Consider Amending Chapter 22 by Adding Section 22-37 Applicable to the Use of Sports Fields in Parks and Fees

Item Description: Consider amending Chapter 22 of the Code of Ordinances by adding Section 22-37 "Sports Fields in Parks" that allows the reservation of the football field in Lee Penn Park for up to three games per day at a fee of \$75 per game. Park rules and regulations must be adhered to and games extending past park curfew will require special permission in advance. The Parks Department reserves the right to cancel games for any reason, including but not limited to, the preservation of the field and/or public safety.

Item Summary: The addition of the football field at Lee Penn Park and related improvements, such as field lights, perimeter fencing, and scoreboard have made the field a much sought after location to host youth football. Youth sport organizations have approached staff to use the field for youth football this fall. In efforts to establish fair scheduling and generate some field use revenue, staff is recommending a field usage fee of \$75.00 per game. This fee was established in congruence with the football field fees currently paid at the Sports Complex. In an effort to preserve the field and prevent excessive wear, staff recommends limiting the number of games held per day to three. The Parks department will also have the ability to limit or cancel games as deemed necessary, for the preservation of the field or any public safety or health issues.

Fiscal Impact: The fiscal impact of the revenues collected is anticipated to be minimal, but will help to supplement General Fund expenses.

(17)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING CHAPTER 22, "PARKS AND RECREATION", BY ADDING SECTION 22-37., "SPORTS FIELDS IN PARKS" APPLICABLE TO THE USE OF SPORTS FIELDS IN PARKS AND FEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie, Texas is a Home-Rule Municipality located in Ellis County created in accordance with provisions of the Texas Local Government Code and operating pursuant to the legislation of the State of Texas ("City"); and

WHEREAS, the of the City of Waxahachie City Council ("City Council") has determined the availability of parks and open space is crucial to maintaining the City's high quality of life; and

WHEREAS, the City Council has determined the regulations concerning the use of sports fields in parks and fees assessed throughout Waxahachie; and

WHEREAS, the City Council has considered the provisions contained herein, and determined that the fees and regulations set forth will serve the public purpose and fit public needs in making reasonable requirements for use of sports fields in public parks; and

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

SECTION 1. That Chapter 22 "Parks and Recreation", be amended by adding Section 22-37 "Sports Fields in Parks" which reads as follows:

"CHAPTER 22 – PARKS AND RECREATION

.....

III. FEES

.....

Section 22-37: Sports Fields in Parks.

.....

The football field located in Lee Penn Park may be reserved for use at the following rate:

Seventy-five dollars (\$75.00) per game, per day. Limited to scheduling three games per day. Park rules and regulations must be adhered. Games extending past park curfew will require special permission in advance. The Parks

(17)

Department reserves the right to cancel games for any reason deemed necessary, including but not limited to, the preservation of the field and/or public safety.

....."

SECTION 2. That all provisions of the Ordinances of the City of Waxahachie, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Waxahachie, Texas, this the 3rd day of August, 2020.

CITY OF WAXAHACHIE, TEXAS

DAVID HILL, MAYOR

ATTEST:

LORI CARTWRIGHT, CITY SECRETARY

APPROVED AS TO FORM

ROBERT F. BROWN, CITY ATTORNEY

(18)



Request to the City Council

ALCOHOL DISTANCE APPEAL APPLICATION

Applicant's Name: (Print) 717 W. Main Street LLC (Sign) Howard Baskin

Applicant's Mailing Address: 717 W. Main Street

Agent Name: Howard Baskin Agent Mailing Address: Same

Name of Business: The English Merchant's Parlour

Business Address: 109 N. Rogers St. City Waxahachie Zip 75165

Legal Description: _____ Block/Ab 30T Lot/Tr 5B

Phone No.: 214.668.1762 Fax No. _____ Email hbaskin@baskininvestments.com

From: Required Setback 300 feet To: Requested Setback 50 feet

Location: _____

Reason(s) For Setback Appeal: Wine bar

Requirements for Alcohol Distance Appeal:

- ☐ TABC Alcohol Permit Application
- ☐ Letter or summary of hardship and/or reason for requesting a Distance Variance recommended.
- ☐ Processing time is approximately 2 weeks and the request will be heard at an appropriate City Council Meeting which is held on the first and third Monday of each month.

City of Waxahachie, City Hall, 401 S. Rogers Street, Waxahachie, TX, 75168

• City Secretary (469) 309-4006 • Fax (469) 309-4003

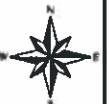


English Merchant's Parlour Location Exhibit

Date: 7/29/2020

Legend

- The English Merchant
- Whats Happening Now Ministries
- Distance Measurement (67 ft.)
- Typical 300 ft. Buffer
- Other Churches



(18)

Cartwright, Lori

From: Cartwright, Lori
Sent: Tuesday, July 21, 2020 5:00 PM
To: 'Howard Baskin'
Subject: Alcohol Distance Appeal Application
Attachments: Alcohol Distance Appeal Application.pdf

Good afternoon Mr. Baskin,

As discussed, the attached appeal application was denied at staff level due to a church being within 300 feet of your request. Please complete and return to me the attached appeal application and I'll put it on the City Council agenda for August 3, 2020 for consideration.

Please contact me if you have any questions.



City of Waxahachie
401 S. Rogers
P.O. Box 757
Waxahachie, Texas 75168

Lori Cartwright, TRMC, CMC
City Secretary

Office 469-309-4005
Fax 469-309-4003
lcartwright@waxahachie.com

(19)

AMENDED ORDER OF ELECTION

CITY OF WAXAHACHIE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE CITY'S ELECTION ORDINANCES TO REVISE THE EARLY VOTING SCHEDULE AND ELECTION DAY VOTE CENTERS FOR THE GENERAL ELECTION SCHEDULED TO BE HELD ON TUESDAY, NOVEMBER 3, 2020; MAKING FINDINGS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 3, 2020, the City of Waxahachie, Texas ("**City**"), adopted Ordinance No. 3176 which, in part, ordered a general election for Saturday, May 2, 2020, to elect At-Large Council Members for Places 1, 2, and 3 for a term of two (2) years; and

WHEREAS, pursuant to the authority of the Governor's March 13, 2020, disaster declaration, and his March 18, 2020, proclamation that elections be postponed, the City passed Ordinance No. 3179 postponing the City Council general election in the City from Saturday, May 2, 2020, to Tuesday, November 3, 2020, and setting other deadlines related to the Election;

WHEREAS, on July 22, 2020, the Governor issued a proclamation suspending Section 85.001(a) of the Texas Election Code to expand the early voting period for the November 3, 2020, Election, to begin on Tuesday, October 13, 2020, and last through Friday, October 30, 2020; and

WHEREAS, this Ordinance shall amend the prior election ordinances to reflect the revised early voting period.

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

SECTION 1. All of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Ordinance Nos. 3176 and 3179 are hereby amended to establish that the early voting period shall be from October 13, 2020, through October 30, 2020 and Early Voting Vote Centers and Election Day Vote Centers as described in Exhibit A and Exhibit B.

SECTION 3. This Ordinance shall become effective, and be in full force and effect, from and after the date of its passage.

(19)

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
WAXAHACHIE, TEXAS, ON THIS THE 3rd DAY OF AUGUST, 2020.**

David Hill, Mayor

ATTEST:

Lori Cartwright, City Secretary

[SEAL]

APPROVED AS TO FORM:

Robert F. Brown, City Attorney

(19)

Ellis County, Texas Condado de Ellis, Texas
General and Special Elections Elecciones General y Especial
November 3, 2020 03 de noviembre de 2020
Early Voting Vote Centers Centros de votación adelantada

The below listed Early Voting Vote Centers will be established for any qualified voter with an effective date of registration on or before November 3, 2020. A voter may vote at ANY of the Early Voting Vote Centers for the General and Special Elections.

Las ubicaciones para centros de votación anticipada que se enumeran a continuación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 03 de noviembre de 2020. Un votante puede votar en cualquiera de los lugares de votación anticipada para las Elecciones General y Especial.

Early Voting Location Dates and Times:

Ubicación, fechas, y horarios de la votación anticipada:

1. Main Early Voting Site - First United Methodist Church

(Fidelis Hall) 505 W Marvin Ave

Waxahachie, TX 75166

2. Ellis County Sub-Courthouse (Foyer) 207 S. Sonoma Trail

Ennis, TX 75119

3. Midlothian Conf. Ctr (Ballroom/Foyer) 1 Community Circle Dr

Midlothian, TX 76065

4. Palmer ISD Annex Bldg (Portable Bldg) 303 Bulldog Way

Palmer, TX 75152

5. Grace Covenant Church (Dining Hall) 212 N Main Street

Red Oak, TX 75154

6. Harvest of Praise (House of Manna Rm) 2603 S Hampton Rd

Glenn Heights, TX 75154

Tuesday, October 13, 2020 <i>martes, 13 de octubre de 2020</i>	through <i>hasta</i>	Friday, October 16, 2020 <i>viernes, 16 de octubre de 2020</i>	8:00 AM - 5:00 PM <i>8:00 AM - 5:00 PM</i>
Saturday, October 17, 2020 <i>sábado, 17 de octubre de 2020</i>			8:00 AM - 4:00 PM <i>8:00 AM - 4:00 PM</i>
Monday, October 19, 2020 <i>lunes, 19 de octubre de 2020</i>	through <i>hasta</i>	Friday, October 23, 2020 <i>viernes, 23 de octubre de 2020</i>	8:00 AM - 6:00 PM <i>8:00 AM - 6:00 PM</i>
Saturday, October 24, 2020 <i>sábado, 24 de octubre de 2020</i>			7:00 AM - 7:00 PM <i>7:00 AM - 7:00 PM</i>
Sunday, October 25, 2020 <i>domingo, 25 de octubre de 2020</i>			1:00 PM - 6:00 PM <i>1:00 PM - 6:00 PM</i>
Monday, October 26, 2020 <i>lunes, 26 de octubre de 2020</i>	through <i>hasta</i>	Friday, October 30, 2020 <i>viernes, 30 de octubre de 2020</i>	7:00 AM - 7:00 PM <i>7:00 AM - 7:00 PM</i>

Last day to register to vote for the General and Special Elections is: Monday, October 05, 2020.

Último día para registrarse para votar en la Elecciones General y Especial es: lunes, 05 de octubre de 2020.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application (October 16th is the last day the voter can walk-in and hand deliver an application) : Friday, October 23, 2020.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA-por sus siglas en inglés) es (El 16 de Octubre es el último día en que el votante puede venir en persona y entregar personalmente una solicitud): viernes, 23 de octubre de 2020.

(19)

Ellis County, Texas Condado de Ellis, Texas
General and Special Elections Elecciones General y Especial
November 3, 2020 03 de noviembre de 2020

Election Day Vote Centers Centros de votación el día de las elecciones

Polls open from 7:00 am to 7:00 pm

Horario de votación estarán abiertas de 7:00 am a 7:00 pm

The below listed Election Day Vote Centers will be established for any qualified voter with an effective date of registration on or before November 3, 2020. A voter may vote at ANY of the Election Day Vote Centers for the General and Special Elections.

Las ubicaciones para centros de voto de días de votación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 03 de noviembre de 2020. Un votante puede votar en cualquiera de los centros de votación de día de las elecciones para las Elecciones General y Especial.

1	FIRST BAPTIST CHURCH-AVALON (Annex) 206 GILES STREET	AVALON, TX 76623
2	FIRST UNITED METHODIST-BARDWELL (Church Annex) 104 PECAN ST	BARDWELL, TX 75119
3	BRISTOL UNITED METHODIST (Fellowship Hall) 104 CHURCH ST	BRISTOL, TX 75119
4	ALMA COMMUNITY CENTER (Foyer) 104 INTERURBAN RD	ENNIS, TX 75119
5	ELLIS COUNTY SUB-COURTHOUSE (Conference Rm) 207 S SONOMA TRAIL	ENNIS, TX 75119
6	ENNIS PUBLIC LIBRARY (Learning Center) 501 W. ENNIS AVE	ENNIS, TX 75119
7	FAITH ASSEMBLY OF GOD CHURCH (Fellowship Hall) 1810 W BALDRIDGE ST.	ENNIS, TX 75119
8	NEW FOUNDERS MISS. BAPTIST (Fellowship Hall) 1903 LAFAYETTE ST.	ENNIS, TX 75119
9	FERRIS PUBLIC LIBRARY (Aubrey Trussell Rm) 301 E 10TH STREET	FERRIS, TX 75125
10	FORRESTON BAPTIST CHURCH (Fellowship Hall) 211 SEVENTH ST.	FORRESTON, TX 76041
11	HARVEST OF PRAISE (House of Manna Rm) 2603 S HAMPTON RD	GLENN HEIGHTS, TX 75154
12	MT GILEAD MISSIONARY BAPTIST CHURCH (Fellowship Hall) 106 HARRIS ST.	ITALY, TX 76651
13	FIRST BAPTIST CHURCH-MAYPEARL (Fellowship Hall) 5744 FM 66	MAYPEARL, TX 76064
14	MIDLOTHIAN CHURCH OF CHRIST (Fellowship Hall) 1627 N HWY 67	MIDLOTHIAN, TX 76065
15	MIDLOTHIAN CONFERENCE CTR (Foyer) 1 COMMUNITY CIRCLE DR	MIDLOTHIAN, TX 76065
16	MOUNTAIN PEAK COMMUNITY CHURCH (Sanctuary) 751 W. FM 875	MIDLOTHIAN, TX 76065
17	SARDIS UNITED METHODIST CHURCH (Fellowship Hall) 640 SARDIS RD	MIDLOTHIAN, TX 76065
18	STONEGATE CHURCH (Rams Rm) 4025 E US 287	MIDLOTHIAN, TX 76065
19	THE SHEPHERD'S HOUSE (Sanctuary) 3221 MOCKINGBIRD LN	MIDLOTHIAN, TX 76065
20	MILFORD SENIOR CENTER (Main Rm) 109 S MAIN ST	MILFORD, TX 76670
21	GRACE CHURCH OF OVILLA (Flex Rm Bldg B) 519 WESTMORELAND RD	OVILLA, TX 75154
22	OVILLA CITY HALL (Council Chambers) 105 S COCKRELL HILL RD	OVILLA, TX 75154
23	PALMER ISD ANNEX BUILDING (Portable Bldg) 303 BULLDOG WAY	PALMER, TX 75152
24	EASTRIDGE BAPTIST CHURCH (Family Activity Ctr) 732 E OVILLA RD	RED OAK, TX 75154
25	LIFEPOINT COMMUNITY CHURCH (Fellowship Hall) 201 LOUISE RITTER RD	RED OAK, TX 75154
26	RED OAK MUNICIPAL CENTER (Pitts Room) 200 LAKEVIEW PKWY	RED OAK, TX 75154
27	GRACE COVENANT CHURCH (Dining Hall) 212 N MAIN ST	RED OAK, TX 75154
28	BIBLE BAPTIST CHURCH (Fellowship Hall) 1400 FM 1446	WAXAHACHIE, TX 75167
29	ELLIS COUNTY WOMANS BUILDING (Main Room) 407 W JEFFERSON ST.	WAXAHACHIE, TX 75165
30	FARLEY STREET BAPTIST CHURCH (Foyer) 1116 BROWN ST.	WAXAHACHIE, TX 75165
31	FIRST UNITED METHODIST-WAXAHACHIE (Fidelis Hall) 505 W MARVIN AVE	WAXAHACHIE, TX 75165
32	PARK MEADOWS BAPTIST CHURCH (Foyer) 3350 N HWY 77	WAXAHACHIE, TX 75165
33	SALVATION ARMY OF ELLIS CO. (Fellowship Hall in rear) 620 FARLEY ST.	WAXAHACHIE, TX 75165
34	SOUTHLAKE BAPTIST CHURCH (Sanctuary) 2378 S HWY 77	WAXAHACHIE, TX 75165
35	THE AVENUE BAPTIST CHURCH (Venue Rm) 1761 N HWY 77	WAXAHACHIE, TX 75165
36	WAXAHACHIE CIVIC CENTER (MTG RM C) 2000 CIVIC CENTER LANE	WAXAHACHIE, TX 75165

Last day to register to vote for the General and Special Elections is: Monday, October 05, 2020.

Último día para registrarse para votar en la Elecciones General y Especial es: lunes, 05 de octubre de 2020.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application (October 16th is the last day the voter can walk-in and hand deliver an application): Friday, October 23, 2020.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA-por sus siglas en inglés) es (El 16 de Octubre es el último día en que el votante puede venir en persona y entregar personalmente una solicitud) viernes, 23 de octubre de 2020.

For More Information: Website at www.co.ellis.tx.us/Elections

OR Contact us at Elections Office 204 E Jefferson Waxahachie, TX 75165 972-825-5195

OR Facebook.com/EllisCountyElections