

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, February 1, 2021 at 7:00 p.m.***

Council Members: David Hill, Mayor, Council Member Place 1
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Council Member
Melissa Olson, Council Member Place 3
Doug Barnes, Council Member Place 2

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 January 19, 2021
 - b. Minutes of the City Council briefing of January 19, 2021
 - c. Waxahachie Police Department Racial Profiling Report for 2020
 - d. Mutual Aid Agreement with Ellis County for Coordination of a Vaccine Hub
6. ***Public Hearing*** on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at 7240 Interstate 35E (Property ID 186924) - Owner: 7240 I35 EAST LLC (ZDC-177-2020)
7. ***Consider*** proposed Ordinance approving ZDC-177-2020
8. ***Public Hearing*** on a request by Kellen Robertson, RLG Consulting Engineers, for a Zoning Change from a Planned Development-Commercial zoning district to Planned Development-Commercial located at 2460 Interstate 35E (Property ID 261917) - Owner: BAYLOR SCOTT & WHITE PROFESSIONAL PLAZA I (ZDC-181-2020)
9. ***Consider*** proposed Ordinance approving ZDC-181-2020

10. **Public Hearing** on a request by Ben Talley, LJA Engineering, for an Amendment to Ordinance No. 2302 for Saddlebrook Estates to increase the Maximum Lot Coverage from 35% to 50% by main building and accessory structures in the remaining South Tract and Central Tract West (ZDC-180-2020)
11. **Consider** proposed Ordinance approving ZDC-180-2020
12. **Public Hearing** on a request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)
13. **Consider** proposed Ordinance approving ZDC-176-2020
14. **Public Hearing** on a request by Joshua Ward for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 125 Homestead Lane (Property ID 269684) - Owner: JOSHUA WARD & SABRINA HULL-WARD (ZDC-175-2020)
15. **Consider** proposed Ordinance approving ZDC-175-2020
16. **Public Hearing** on a request by Joseph Ray, D&R Solutions LLC, for a Zoning Change from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020)
17. **Consider** proposed Ordinance approving ZDC-182-2020
18. **Public Hearing** on a request by George Salvador, Lilian Custom Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020)
19. **Consider** proposed Ordinance approving ZDC-179-2020
20. **Consider** Development Agreement for ZDC-179-2020
21. **Consider** proposed Resolution making findings regarding the creation of the Sterrett Road Municipal Management District
22. **Consider** proposed Resolution in support of Navarro College's pursuit of legislative approval to offer a Bachelor of Science in Nursing (BSN) Degree
23. **Consider** proposed Resolution accepting a petition to create the Emory Lakes public improvement district, calling for a public hearing to consider the feasibility and advisability of establishing the district and authorizing and directing the publication and mailing of notices of the public hearing
24. **Consider** proposed Resolution of Candidate Nomination for the Ellis Appraisal District Board of Directors Vacancy for the year 2021

25. *Consider* authorization of smart meter funding analysis with Performance Services, Inc.
26. *Consider* approval of will serve agreement and certificate of convenience and necessity boundary adjustment with Sardis Lone-Elm Water Supply Corporation
27. *Consider* authorizing professional services with Birkhoff, Hendricks, and Carter, LLP associated with the Grove Creek Trunk Sewer Phase IV Capital Improvement Project
28. Comments by Mayor, City Council, City Attorney and City Manager
29. 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

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 Tuesday, January 19, 2021 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Council Member
Melissa Olson, Council Member Place 3
Doug Barnes, Council Member Place 2

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

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

4. Public Comments

Mr. Chris Wright, 808 Marvin Avenue, Waxahachie expressed concern with developers not wanting to follow City Ordinances when requesting zoning changes.

5. Consent Agenda

- a. Minutes of the City Council meeting of January 4, 2021
- b. Minutes of the City Council briefing of January 4, 2021

Action:

Council Member Doug Barnes moved to approve items a. and b. on the Consent Agenda. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

6. Letter of Commendation presentation by Fire Chief

Fire Chief Ricky Boyd reported while in a fast food drive-thru a customer became unconscious and pressed the gas pedal on his vehicle which caused him to strike several cars in the parking area, crash through bushes, cross the drainage ditch and 6 lanes of busy traffic on Highway 77 before finally coming to a stop on the opposite side of the road where he struck a gas meter causing the steady flow of natural gas to the area around the vehicle with the driver still inside and unconscious. Chief Boyd stated Officer Austin Rollins was the first unit on the scene and at a critical moment, showed courage and respect for another's life above his own. He was very aware of the danger he was placing himself in but more so of the pledge he took as an Officer of the City of Waxahachie.

(50)

Chief Boyd presented Officer Rollins a Letter of Commendation for his meritorious action on January 9, 2021.

7. Present Proclamation proclaiming January 26, 2021 as “Bessie Coleman Day”

Mayor Hill read a proclamation proclaiming January 26, 2021 as “Bessie Coleman Day.”

8. Public Hearing on a request by David Flores for a Specific Use Permit (SUP) for Garage Accessory Dwelling and Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 616 Dunn Street (Property ID 173378) - Owner: DAVID FLORES (ZDC-167-2020)

Mayor Hill opened the Public Hearing.

Planning Director Shon Brooks reported the applicant is requesting to construct a two-story detached garage accessory dwelling in the rear of the single-family property. He recommended approval per the following staff comments:

- The applicant will need to obtain a building permit prior to construction of the proposed structure.
- The accessory dwelling cannot be used to rent to outside tenants.
- The accessory dwelling shall not be higher than 2 feet of the primary structure.
- A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.

There being no others to speak for or against ZDC-167-2020, Mayor Hill closed the Public Hearing.

9. Consider proposed Ordinance approving ZDC-167-2020

ORDINANCE NO. 3245

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY STRUCTURE/DWELLING USE WITHIN A SINGLE FAMILY-2 (SF2) ZONING DISTRICT, LOCATED AT 616 DUNN ST, PROPERTY ID 173378, BEING LOT 58A OF FERRIS 2ND ADDITION-REV, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Melissa Olson moved to approve Ordinance No. 3245 per staff comments. Council Member Chuck Beatty seconded, All Ayes.

10. Public Hearing on a request by Jesse Miller for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-

(5a)

Family Residential-2 zoning district located at 115 Country Drive (Property ID 173120) - Owner: JESSE LEE MILLER (ZDC-173-2020)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is requesting to construct an accessory structure in the rear of the single-family property and intends to use the accessory structure for storage and hobby space. He recommended approval per the following staff comments:

- The applicant will need to obtain a building permit prior to construction of the proposed structure.
- A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.

There being no others to speak for or against ZDC-173-2020, Mayor Hill closed the Public Hearing.

11. Consider proposed Ordinance approving ZDC-173-2020

ORDINANCE NO. 3246

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY STRUCTURE USE WITHIN A SINGLE FAMILY-2 (SF2) ZONING DISTRICT, LOCATED AT 115 COUNTRY DRIVE, PROPERTY ID 173120, BEING LOT 8, BLOCK 4, COUNTRY PLACE PHASE II, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Doug Barnes moved to approve Ordinance No. 3246 per staff comments. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

12. Public Hearing on a request by Paul Nelson for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Planned Development-23-Single-Family Residential-1 zoning district located at 409 Lakewood Drive (Property ID 174631) - Owner: PAUL D & MELINDA A NELSON (ZDC-168-2020)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant is requesting to construct an accessory structure (detached garage) in the front of a single-family property and intends to use the garage structure to park vehicles for the home. He recommended approval per the following staff comments:

- The applicant will need to obtain a building permit prior to construction of the proposed structure.
- A concrete drive for the garage shall be provided by the applicant.

(5a)

There being no others to speak for or against ZDC-168-2020, Mayor Hill closed the Public Hearing.

13. Consider proposed Ordinance approving ZDC-168-2020

ORDINANCE NO. 3247

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY STRUCTURE (DETACHED GARAGE) USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF1) ZONING DISTRICT, LOCATED AT 409 LAKEWOOD DRIVE, PROPERTY ID 174631, BEING LOT E OF LAKESHORE ACRS-REV, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3247 subject to staff comments. Council Member Melissa Olson seconded, All Ayes.

14. Consider Development Agreement for ZDC-72-2020

Mr. Brooks suggested to present items 14 – 18 (ZDC-72-2020 and ANX-DNX-145-2020) together and then vote on each item separately because they all pertain to the same property. He reported the applicant is requesting approval of a Planned Development to allow single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres located NW of 2374 W Highway 287 Bypass.

Mr. Brooks reported the proposed use of the Planned Development district is to create zoning that will allow the development of 394 total lots, of which, 296 lots will fall within the categories identified on the PD Concept Plan and listed in the Proposed Planned Development Regulations. Mr. Brooks noted part of the development would be funded through a PID. He highlighted changes from the City Council meeting of December 21, 2020 as follows:

- Alleys for the cottage style homes reduced from 77% to 34%
- Total lots within the Planned Development increased from 384 to 394
- Cottage lots increased from 96 to 98

Mr. Brooks stated if approved, a mutually agreed upon Development Agreement must be signed by the applicant.

Mr. Felix Wong, Developer, presented the Planned Development Concept Plan noting it is a diversity of housing choices with six different lot types. He stated the Concept Plan complies with the Thoroughfare Plan and Future Land Use Plan. Mr. Wong stated the Concept Plan is a diverse mix of land use encouraging a broad economic base. He noted they intend to create a walkable, interactive and high-end development by creating several open spaces, including pocket parks, a 3.5 acre amenity park, and a dog park.

(50)

Those who spoke for ZDC-72-2020 and ANX-DNX-145-2020:

Mr. Terrance Jobe, Developer, 2415 Somerfield, Midlothian, Texas

Those who spoke against ZDC-72-2020 and ANX-DNX-145-2020:

Mr. Richard Rozier, 4250 Black Champ Road, Waxahachie, Texas

Mr. Chris Wright, 808 Marvin Avenue, Waxahachie, Texas

Ms. Linda Romanenko, 2951 Longbranch Road, Waxahachie, Texas

Mr. Jim Hallbauer, 3640 Black Champ Road, Waxahachie, Texas

Action:

Council Member Melissa Olson moved to deny a Development Agreement for ZDC-72-2020. Council Member Doug Barnes seconded, All Ayes.

- 15. Continue Public Hearing on a request by Carolyn J Haman for Voluntary Annexation on approximately 150.5+/- acres located NW of 2374 W Highway 287 Bypass (Property ID 185971 and 185886) - Owner: CAROLYN J HAMAN (ANX-DNX-145-2020)**

Mayor Hill continued the Public Hearing.

There being no others to speak for or against ANX-DNX-145-2020, Mayor Hill closed the Public Hearing.

- 16. Consider proposed Ordinance approving ANX-DNX-145-2020**

Action:

Council Member Doug Barnes moved to deny ANX-DNX-145-2020. Council Member Chuck Beatty seconded, All Ayes.

- 17. Continue Public Hearing on a request by Phillip Fisher, Macatee Engineering LLC, for a Zoning Change from a Future Development and General Retail zoning district to Planned Development-Mixed-Use Residential, located W of 2374 W Highway 287 Bypass (Property IDs 185971, 185972, 185886, 185978) - Owner: CAROLYN J HAMAN (ZDC-72-2020)**

Mayor Hill continued the Public Hearing.

There being no others to speak for or against ZDC-72-2020, Mayor Hill closed the Public Hearing.

- 18. Consider proposed Ordinance approving ZDC-72-2020**

Action:

Mayor Pro Tem Mary Lou Shipley moved to deny ZDC-72-2020. Council Member Melissa Olson seconded, All Ayes.

(50)

19. **Continue Public Hearing on a request by Nicholas Balsamo, Kalterra Capital Partners, for a Zoning Change from a Multiple-Family Residential-2 zoning district to Planned Development-Multiple-Family Residential-2, located near the SW corner of Park Place Blvd at Garden Valley Pkwy (Property ID 275563) - Owner: KALTERRA CAPITAL PARTNERS LLC (ZDC-159-2020)**

Mayor Hill continued the Public Hearing.

Mr. Brooks reported the applicant is requesting approval of a Planned Development to allow for construction of 184 multi-family residential units on approximately 12.9 acres. The development will consist of four (4) apartment buildings with a maximum height of three (3) stories. He stated 138 attached garages are required and the applicant will provide a mix of attached garages and attached carports. There will be no front facing balconies and patios will be reduced. Metal fence with masonry columns will be installed. He stated the applicant is requesting variances on side setbacks and rear setbacks.

Mr. Clint Nolen, Developer, Kalterra Capital Partners, LLC, stated they are eliminating the requested setback variances and will meet all setback requirements on Park Place.

Mr. Brooks recommended approval subject to the following staff comment:

- A mutually agreed upon Development Agreement shall be required for the development.

There being no others to speak for or against ZDC-159-2020, Mayor Hill closed the Public Hearing.

20. **Consider proposed Ordinance approving ZDC-159-2020**

ORDINANCE NO. 3248

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM MULTI FAMILY-2 (MF2) TO PLANNED DEVELOPMENT-MUTI FAMILY-2 (PD-MF2), LOCATED AT THE SOUTHWEST CORNER OF PARK PLACE BLVD AND GARDEN VALLEY PKWY, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 13.17 ACRES KNOWN AS A PORTION OF PROPERTY ID 275563 OF ABSTRACT 5 OF THE JB AND A ADAMS SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Council Member Melissa Olson moved to approve Ordinance No. 3248. Council Member Doug Barnes seconded, All Ayes.

21. **Consider Development Agreement for ZDC-159-2020**

Action:

Council Member Chuck Beatty moved to approve a Development Agreement for ZDC-159-2020. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

(50)

22. Consider award of a bid to Holland Right of Way, LLC for code enforcement abatement mowing and general site clean-up services

Building and Community Services Director Jose Martinez presented a bid award associated with two one-year renewal options with Holland Right of Way, LLC for code enforcement related abatement mowing and general cleanup services in the amount of \$89,675. He stated this is within budget and staff recommends approval.

Action:

Mayor Pro Tem Mary Lou Shipley moved to award Holland Right of Way, LLC for code enforcement abatement mowing and general site clean-up services as presented. Council Member Melissa Olson seconded, All Ayes.

23. Consider proposed Ordinance ordering an election to be held for the purpose of electing At-Large Council Members Places 4 & 5, and providing for a contract for election services with Ellis County Elections Administration

ORDINANCE NO. 3249

AN ORDINANCE ORDERING AN ELECTION TO BE HELD FOR THE PURPOSE OF ELECTING AT-LARGE COUNCIL MEMBER PLACES 4 & 5; PROVIDING FOR A CONTRACT FOR ELECTION SERVICES WITH ELLIS COUNTY ELECTIONS ADMINISTRATION; DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE

Action:

Council Member Chuck Beatty moved to approve Ordinance No. 3249 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

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

Council Member Doug Barnes and Council Member Chuck Beatty referenced the Letter of Commendation to Officer Austin Rollins and congratulated him for being so brave.

Mayor David Hill stated bravery is amazing and our first responders do it every day noting he is so proud of all of them.

25. Adjourn

There being no further business, the meeting adjourned at 8:14 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(bb)

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Tuesday, January 19, 2021 at 6:30 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Council Member
Melissa Olson, Council Member Place 3
Doug Barnes, Council Member Place 2

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

City Manager Michael Scott reviewed the City Council agenda noting Fire Chief Ricky Boyd will present a Letter of Commendation to Officer Austin Rollins for his bravery and respect for another's life above his own.

Director of Planning Shon Brooks reviewed the following cases:

- ZDC-167-2020 – The applicant requests to construct a two-story + 700 square foot detached garage accessory dwelling in the rear of a single-family property. He stated the accessory dwelling should not be higher than 2 feet of the primary structure. Mr. Brooks stated the applicant would be required to provide a concrete drive that leads from the home to the accessory structure.
- ZDC-173-2020 – The applicant requests to construct an accessory structure in the rear of a single-family property for storage and hobby space. Mr. Brooks stated the applicant would be required to provide a concrete drive that leads from the home to the accessory structure.
- ZDC-168-2020 – The applicant request to construct an accessory structure (detached garage) in front of a single-family property to park vehicles for the home. Mr. Brooks stated a concrete drive for the garage should be provided by the applicant. He stated the proposed garage will be located in front of the primary structure and will not detract from the home.
- ZDC-72-2020 and ANX-DNX-145-2020 - The applicant request a Planned Development to allow single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Mr. Brooks explained if approved, a Development Agreement will be considered for ZDC-72-2020 and a voluntary annexation will be considered (ANX-DNX-145-2020).

(56)

- ZDC-159-2020 - The applicant request a Planned Development to allow for construction of 184 multi-family residential units on approximately 12.9 acres. Mr. Brooks stated staff will recommend approval subject to a Development Agreement be required.

Building and Community Services Director Jose Martinez presented a bid award associated with two one-year renewal options with Holland Right of Way, LLC for code enforcement related abatement mowing and general cleanup services in the amount of \$86,675. He noted this is within the budget and staff will recommend approval.

City Secretary Lori Cartwright presented an Ordinance ordering an election to be held for the purpose of electing At-Large City Council Members for Places 4 and 5, and providing a contract for election services with Ellis County Elections Administration.

3. Adjourn

There being no further business, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(50)



Memorandum

To: Honorable Mayor and City Council
From: Wade G. Goolsby, Chief of Police
Thru: Michael Scott, City Manager
Date: January 29, 2021
Re: 2020 Racial Profiling Analysis

The Waxahachie Police Department has completed its data analysis on citizen contacts. State law requires that each police agency keep records of any traffic stop that results in a citation or arrest in an effort to identify any racial profiling that might be occurring.

The Waxahachie Police Department is committed to providing the highest level of police service to the community without any racial bias. The enclosed report will illustrate the efforts of the police department and will show that we do not engage in racial profiling.

The data in the report has been submitted to the State as required and we will continue to collect data as required. A new interpretation of the statutes required more detailed reporting this year so the report became more detailed than in the past.

Please feel free to contact me if you have any questions regarding the report.

(50)



Memorandum

To: Honorable Mayor and City Council
From: Wade G. Goolsby, Chief of Police
Thru: Michael Scott, City Manager
Date: January 29, 2021
Re: 2020 Racial Profiling Analysis

The Waxahachie Police Department has completed its data analysis on citizen contacts. State law requires that each police agency keep records of any traffic stop that results in a citation or arrest in an effort to identify any racial profiling that might be occurring.

The Waxahachie Police Department is committed to providing the highest level of police service to the community without any racial bias. The enclosed report will illustrate the efforts of the police department and will show that we do not engage in racial profiling.

The data in the report has been submitted to the State as required and we will continue to collect data as required. A new interpretation of the statutes required more detailed reporting this year so the report became more detailed than in the past.

Please feel free to contact me if you have any questions regarding the report.

(50)

WAXAHACHIE POLICE DEPARTMENT



2020 CITIZEN CONTACT REPORT

January 25, 2021

(5c)

Executive Summary

Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched.

The analysis of material and data from the Waxahachie Police Department revealed the following:

The analysis of statistical information from WPD reveals that there are not any indications of systemic racial profiling by the department.

The WPD is in full compliance with applicable Texas law concerning the prohibition of racial profiling.

(50)

Introduction

This report details an analysis of the Waxahachie Police Department's statistical information on citizen contacts for the year 2019. According to the State of Texas, "race" means "of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent".

This report has been prepared to specifically comply with Article 2.132 (7) of the Texas Code of Criminal Procedure regarding the compilation and analysis of citizen contacts data. In 2017, the State changed the requirements of the racial profiling reports to include more information than was previously reported. In 2020, we were notified by the Texas Commission on Law Enforcement (TCOLE) that there were portions of the law that had been misinterpreted and would now require additional data. The full copies of the applicable laws and regulations pertaining to this report are contained in Appendix A.

This report is divided into five analytical sections: WPD's policy on racial profiling; WPD's training and education on racial profiling; WPD's complaint process and public education on racial profiling; and analysis of statistical data on citizen contacts.

For the purposes of this report and analysis, the following definition of racial profiling is used: Racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

The demographic information contained in this report was taken from the demographic profile from the 2010 census. Waxahachie demographic information was compared to Ellis County information for analytical and comparison purposes.

The greatest challenge in presenting meaningful numbers is using an appropriate comparison. Census data is the most readily available data that identifies the demographics of the city and county. However, the accuracy of census data is always questioned and even if accurate in the beginning, the data becomes aged and out of date as the decade progresses. Since the data is only collected every ten years, the data becomes less and less accurate with each passing year.

Even if the census data is fresh, there are still questions about the accuracy of the data. In some of the data, the numbers do not add up. This is primarily caused by individuals being counted twice. The Census Bureau considers Hispanics to be a culture and not a race, so there are White Hispanics and Black Hispanics. This can cause some individuals to be counted twice, depending on how the individual completes the Census survey form. On the other hand, the State of Texas considers "Hispanic" to be a race. However, the State does not provide any census data based on their definitions of race.

Other challenges related to the statistical comparisons relate to the percentage of citations written to residents vs. non-residents vs. regional visitors, etc. We have

(50)

several major thoroughfares through Waxahachie and many people who receive citations do not live in the city or the county.

The population and race statistics are show below for both the city of Waxahachie and for Ellis County.

2010 Population – City of Waxahachie*

Total Population	29,621	
Caucasian (Not Hispanic)	22,381	75.6%
African (Black)	3,819	12.9%
Amer. Indian	175	0.6%
Asian	155	0.5%
Two or More Races	678	2.3%
Hispanic	6,870**	23.2%**

*These numbers provided by the US Census Bureau

** Total sum of races exceeds actual total population

2010 Population – Ellis County*

Total Population	149,610	
Caucasian (Not Hispanic)	117,662	78.6%
African (Black)	13,482	9.0%
Amer. Indian	893	0.6%
Asian	851	0.6%
Hispanic	35,161**	23.5%**

*These numbers provided by the US Census Bureau

** Total sum of races exceeds actual total population

The State of Texas has defined "Race or ethnicity" as the following categories: Alaska Native or American Indian; Asian or Pacific Islander; black; white; and Hispanic or Latino. Since the State is requiring the reporting, we are required to use their definition but for comparison purposes, we must use Census data and their definitions.

Another issue is the fact that the US Census considers "Hispanic" to be a culture and not a race, compared to the State of Texas who defines Hispanic as a race. In the census, there are White Hispanics and Black Hispanics and the result is an overlapping of counting. As seen in the numbers above, the total number of Races exceed the population due to this overlapping in counting.

(54)

Waxahachie Police Department Policy on Racial Profiling

A review of WPD policies reveal that the department has adopted policies to be in compliance with Article 2.132 of the Texas Code of Criminal Procedure. There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in Departmental policies. The General Orders provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or social status. Appendix B lists the applicable statute and corresponding General Orders. Specifically, however, Policy 3.08 states in part:

II. POLICY:

- A. POLICING IMPARTIALY** - Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches, and property seizures.
- B. Race/ethnicity** will never be used as the sole basis for probable cause or reasonable suspicion. Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s).

III. DEFINITIONS

- A. BIAS BASED PROFILING** - Means a law enforcement-initiated action based on an individual's race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or other identifiable group, rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- B. RACIAL PROFILING** means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

IV. PROCEDURES

- A. PROHIBITED** - The Waxahachie Police Department strictly prohibits police officers employed by this agency to engage in acts of racial profiling or bias based profiling as defined above.

(50)

- B. This policy is intended to reaffirm the Waxahachie Police Departments commitment to unbiased policing, to clarify the circumstances in which officers can consider race/ethnicity when making law enforcement decisions, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way.

Waxahachie Police Department Training and Education on Citizen Contacts

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on citizen contacts for all Texas Peace officers. Documentation provided by WPD reveals that citizen contacts training and certification has occurred and has either been provided to all officers in the department or is being obtained for new officers. New officers are typically trained as they are hired.

Waxahachie Police Department Complaint Process and Public Education on Citizen Contacts

Article 2.132 §2(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on citizen contacts and that the agency provide public education on the complaint process. The department has prepared a brochure on the citizen complaint process which includes a specific section on citizen contacts. The brochure is clearly written and provides detailed information on the process and whom to contact to file a complaint.

Waxahachie Police Department Video Review

In accordance with State mandates, the Waxahachie Police Department regularly reviews video footage captured by cameras installed in the patrol vehicles. The footage is chosen randomly and a log is maintained documenting the review. In addition to random viewing, the footage is reviewed when related to complaints or evidence. There were no violations of racial profiling prohibitions found during this process. The 2020 video review log is attached to this report.

Waxahachie Police Department Statistical Data on Citizen Contacts

Article 2.132(b)6 requires that law enforcement agencies collect statistical information on traffic stops and detentions with specific information on the race of the person stopped. In addition, information concerning searches of persons and whether or not the search was based on consent or probable cause is also collected.

(54)

201.76 Analysis of Traffic Stops

Waxahachie Police Officers made a total of 5,059 stops that resulted in citations or arrests during 2020. Figure 1 depicts the percentages of people detained by race. As can be seen, the percentages of those stopped are closely reflected by the percentages of the Waxahachie population. For example, 23% of Waxahachie is Hispanic and 19% of the traffic stops were Hispanic drivers. In this case, the percentage of Hispanics stopped is slightly lower than the local population percentage. African/Americans make up 13% of Waxahachie and 19% of traffic stops were African/American drivers. Caucasians make up 76% of the population in Waxahachie and the percentage of traffic stops for Caucasians was 61%.

It should be noted that the race of drivers is determined by the officer's perception. The law allows for the determination to be made by either perception or by asking. However, it is generally believed that asking for the person's race would often result in an argument or confrontation due to the issue of race being brought up by the officer. In reality, if an officer was engaging in profiling it would be based on perception anyway, so using perception as a determination is appropriate.

Figure 1
Traffic stops resulting in Citations or Arrests

	Caucasian	Asian	Hispanic	African/ Black	Amer. Indian	Other/Unk.*
Total Contacted	2875	26	1123	1019	16	
Percentage	57%	1%	22%	20%	0%	
Waxahachie Population	75.6%	0.5%	23.2%	12.9%	0.6%	10.4%**
Ellis Population	78.6%	0.6%	23.5%	9.0%	0.6%	11.1%**

** Persons reporting "Two or more Races or Some Other Race"

It should be noted that officers do not stop only city residents or County residents. They often stop individuals who live outside of the County. The major thoroughfares in Waxahachie bring county, regional, and out-of-state residents through the city. However, the use of city and county population data is most appropriate because these residents would have the highest likelihood of using Waxahachie roadways. Using the city and county population data, percentage of traffic stops by race appear both expected and understandable.

(50)

2020 Analysis of Searches

The State statute requires police departments to capture data related to searches. Unfortunately, the statute does not define “search”. The term “search” can mean different things to different people and the term can mean one thing to law enforcement and another to citizens. The definitions listed below are the terms and definitions relative to law enforcement.

Frisk – a “frisk” is used when an officer has a reasonable suspicion that the individual may be armed or may have a weapon within reach in the vehicle. The frisk may involve the person or it may involve the vehicle. The officer can check for weapons in those areas of a vehicle that are within reach of the vehicle occupant. This is not considered a “search” by law enforcement but might be considered a search by the vehicle occupant.

Vehicle Search – a complete search of a vehicle based on probable cause or consent. If an officer has probable cause to be belief that there is contraband or evidence in a vehicle, the officer may search the vehicle. The vehicle occupant can also give consent for the officer to search the vehicle regardless whether probable cause exists.

Vehicle Inventory – a vehicle inventory is conducted after an individual is arrested to ensure the safekeeping of any valuables in the vehicle. The department is responsible for the vehicle and its contents after an individual is arrested out of that vehicle. The inventory is not considered a search by law enforcement but may be considered a search by the vehicle owner.

Search incident to arrest – This search refers to a search of an individual after they have been arrested. The Courts have recognized that it is necessary to search individuals after they are arrested to ensure the safety of the officers and the security of the jail facility.

It should be noted that it is common to have multiple searches in a single event. The event could start with a vehicle search that results in an arrest. Then, the individual would be searched incident to the arrest and the vehicle would be inventoried prior to being towed. In this instance, there would be three identifiable searches conducted.

The table below reports the summaries for the total number of persons searched subsequent to being stopped by WPD for traffic offenses and either cited to court or searched prior to being arrested. Individuals are searched after being stopped for a variety of reasons. Officers may be concerned for their personal safety (the possibility of a weapon), they may have probable cause that a crime has been committed and the person stopped is concealing evidence of the crime, or they may only have a suspicion of a criminal offense and request consent from the person to search the person or vehicle.

(54)

Figure 2

The tables below show that 614 searches were conducted and there was contraband found in 364 of those searches.

Search Conducted?	
Yes	487
No	4570
	5059

Reason for Search	
Consent	126
Plain View	41
Probable Cause	212
Inventory	41
Incident to arrest	67
	487

Contraband	
Yes	169
No	318
	487
Type of Contraband	
Alcohol	22
Currency	0
Drugs	123
Other	11
Weapons	3
Stol. Property	10
	169

Recent legislation changes require that agencies submit specified data to the Texas Commission on Law Enforcement (TCOLE). The data submitted is as follows:

(See next page)

(50)

TCOLE Submitted Data

MOTOR VEHICLE RACIAL PROFILING INFORMATION

1. STOPS

1. *TOTAL STOPS:

2. STREET ADDRESS OR APPROXIMATE LOCATION OF THE STOP - CCP 2.132(B)(6)(E), 2.133(B)(7)

1. *CITY STREET:
2. *US HIGHWAY:
3. *STATE HIGHWAY:
4. *COUNTY ROAD:
5. *PRIVATE PROPERTY OR OTHER:

3. WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP? - CCP 2.132(B)(6)(C)

1. *YES:
2. *NO:

4. RACE OR ETHNICITY - CCP 2.132(A)(3), 2.132(B)(6)(A), 2.133(B)(1)(B)

1. *ALASKA NATIVE/AMERICAN INDIAN:
2. *ASIAN/PACIFIC ISLANDER:
3. *BLACK:
4. *WHITE:
5. *HISPANIC/LATINO:

5. GENDER - CCP 2.133(B)(1)(A)

1. *FEMALE:
1. *ALASKA NATIVE/AMERICAN INDIAN:
2. *ASIAN/PACIFIC ISLANDER:

(50)

3. *BLACK:	431
4. *WHITE:	1231
5. *HISPANIC/LATINO:	383
2. *MALE:	2999
1. *ALASKA NATIVE/AMERICAN INDIAN:	12
2. *ASIAN/PACIFIC ISLANDER:	15
3. *BLACK:	587
4. *WHITE:	1645
5. *HISPANIC/LATINO:	740

6. REASON FOR STOP? - CCP 2.132(B)(6)(F), 2.133(B)(2)

1. *VIOLATION OF LAW:	353
1. *ALASKA NATIVE/AMERICAN INDIAN:	1
2. *ASIAN/PACIFIC ISLANDER:	1
3. *BLACK:	84
4. *WHITE:	178
5. *HISPANIC/LATINO:	89
2. *PREEXISTING KNOWLEDGE:	168
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	16
4. *WHITE:	48
5. *HISPANIC/LATINO:	20
3. *MOVING TRAFFIC VIOLATION:	3252
1. *ALASKA NATIVE/AMERICAN INDIAN:	13
2. *ASIAN/PACIFIC ISLANDER:	24
3. *BLACK:	651
4. *WHITE:	1976
5. *HISPANIC/LATINO:	588
4. *VEHICLE TRAFFIC VIOLATION:	1370
1. *ALASKA NATIVE/AMERICAN INDIAN:	5

(54)

2. *ASIAN/PACIFIC ISLANDER:	9
3. *BLACK:	221
4. *WHITE:	799
5. *HISPANIC/LATINO:	336

7. WAS A SEARCH CONDUCTED? - CCP 2.132(B)(6)(B), 2.133(B)(3)

1. *YES:	487
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	138
4. *WHITE:	223
5. *HISPANIC/LATINO:	126
2. *NO:	4570
1. *ALASKA NATIVE/AMERICAN INDIAN:	16
2. *ASIAN/PACIFIC ISLANDER:	26
3. *BLACK:	881
4. *WHITE:	2652
5. *HISPANIC/LATINO:	997

8. REASON FOR SEARCH?

1. *CONSENT:	126	CCP 2.132(B)(6)(B), 2.133(B)(3)
1. *ALASKA NATIVE/AMERICAN INDIAN:	0	
2. *ASIAN/PACIFIC ISLANDER:	0	
3. *BLACK:	8	
4. *WHITE:	85	
5. *HISPANIC/LATINO:	33	
2. *CONTRABAND:	16	CCP 2.133(B)(5)(A)
1. *ALASKA NATIVE/AMERICAN INDIAN:	0	
2. *ASIAN/PACIFIC ISLANDER:	0	
3. *BLACK:	9	
4. *WHITE:	18	

(50)

5. *HISPANIC/LATINO:		14
3. *PROBABLE CAUSE:	326	CCP 2.133(B)(5)(B)
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		54
4. *WHITE:		112
5. *HISPANIC/LATINO:		46
4. *INVENTORY:	41	CCP 2.133(B)(5)(C)
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		9
4. *WHITE:		21
5. *HISPANIC/LATINO:		11
5. *INCIDENT TO ARREST:	67	CCP 2.133(B)(5)(C)
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
2. *ASIAN/PACIFIC ISLANDER:		0
3. *BLACK:		12
4. *WHITE:		37
5. *HISPANIC/LATINO:		18

9. WAS CONTRABAND DISCOVERED? - CCP 2.133(B)(4)

1. *YES:	169	
1. *ALASKA NATIVE/AMERICAN INDIAN:		0
1. FINDING RESULTED IN ARREST - YES:		0
2. FINDING RESULTED IN ARREST - NO:		0
2. *ASIAN/PACIFIC ISLANDER:		0
1. FINDING RESULTED IN ARREST - YES:		0
2. FINDING RESULTED IN ARREST - NO:		0
3. *BLACK:	34	
1. FINDING RESULTED IN ARREST - YES:		34
2. FINDING RESULTED IN ARREST - NO:		0

(50)

4. *WHITE:	95
1. FINDING RESULTED IN ARREST - YES:	95
2. FINDING RESULTED IN ARREST - NO:	0
5. *HISPANIC/LATINO:	40
1. FINDING RESULTED IN ARREST - YES:	40
2. FINDING RESULTED IN ARREST - NO:	0
2. *No:	318
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	20
4. *WHITE:	74
5. *HISPANIC/LATINO:	29

10. DESCRIPTION OF CONTRABAND - CCP 2.133(B)(4)

1. *DRUGS:	123
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	20
4. *WHITE:	74
5. *HISPANIC/LATINO:	29
2. *CURRENCY:	0
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	0
4. *WHITE:	0
5. *HISPANIC/LATINO:	0
3. *WEAPONS:	3
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	2
4. *WHITE:	1

(50)

5. *HISPANIC/LATINO:	0
4. *ALCOHOL:	22
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	3
4. *WHITE:	11
5. *HISPANIC/LATINO:	8
5. *STOLEN PROPERTY:	10
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	4
4. *WHITE:	5
5. *HISPANIC/LATINO:	1
6. *OTHER:	11
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	5
4. *WHITE:	4
5. *HISPANIC/LATINO:	2

11. RESULT OF STOP

1. *VERBAL WARNING:	4	CCP 2.133(B)(8)
1. *ALASKA NATIVE/AMERICAN INDIAN:	0	
2. *ASIAN/PACIFIC ISLANDER:	0	
3. *BLACK:	1	
4. *WHITE:	2	
5. *HISPANIC/LATINO:	1	
2. *WRITTEN WARNING:	1059	
1. *ALASKA NATIVE/AMERICAN INDIAN:	1	
2. *ASIAN/PACIFIC ISLANDER:	5	
3. *BLACK:	206	

(50)

4. *WHITE:	688
5. *HISPANIC/LATINO:	158
3. *CITATION: 3490 CCP 2.133(B)(8)	
1. *ALASKA NATIVE/AMERICAN INDIAN:	15
2. *ASIAN/PACIFIC ISLANDER:	21
3. *BLACK:	672
4. *WHITE:	1956
5. *HISPANIC/LATINO:	825
4. *WRITTEN WARNING AND ARREST: 2	
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	0
4. *WHITE:	2
5. *HISPANIC/LATINO:	0
5. *CITATION AND ARREST: 13	
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	6
4. *WHITE:	11
5. *HISPANIC/LATINO:	5
6. *ARREST: 483 CCP 2.133(B)(6)	
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	138
4. *WHITE:	219
5. *HISPANIC/LATINO:	126

12. ARREST BASED ON - CCP 2.133(B)(6)

1. *VIOLATION OF PENAL CODE: 176	
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0

(54)

3. *BLACK:	41
4. *WHITE:	89
5. *HISPANIC/LATINO:	46
2. *VIOLATION OF TRAFFIC LAW:	139
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	29
4. *WHITE:	62
5. *HISPANIC/LATINO:	48
3. *VIOLATION OF CITY ORDINANCE:	14
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	5
4. *WHITE:	7
5. *HISPANIC/LATINO:	2
4. *OUTSTANDING WARRANT:	154
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	63
4. *WHITE:	61
5. *HISPANIC/LATINO:	30

13. WAS PHYSICAL FORCE RESULTING IN BODILY INJURY USED DURING STOP?

CCP 2.132(B)(6)(D), 2.133(B)(9)

1. *YES:	31
1. *ALASKA NATIVE/AMERICAN INDIAN:	0
2. *ASIAN/PACIFIC ISLANDER:	0
3. *BLACK:	3
4. *WHITE:	22
5. *HISPANIC/LATINO:	6
2. *NO:	4531

(54)

1. *ALASKA NATIVE/AMERICAN INDIAN:	16
2. *ASIAN/PACIFIC ISLANDER:	26
3. *BLACK:	1016
4. *WHITE:	2863
5. *HISPANIC/LATINO:	981

14. NUMBER OF COMPLAINTS OF RACIAL PROFILING

1. *TOTAL:	0
1. *RESULTED IN DISCIPLINARY ACTION:	0
2. *DID NOT RESULT IN DISCIPLINARY ACTION:	0

Analysis of Citizen Contacts Compliance by Waxahachie Police Department

The foregoing analysis shows that WPD is fully in compliance with all relevant Texas law concerning citizen contacts. Data on traffic stops revealed that while the percentage of traffic stops of some races may not align with the census from ten years ago, there is no indication and any racial profiling is occurring. The comparison percentages change when compared to the City of Waxahachie vs. Ellis County but it demonstrates the difficulty in getting truly meaningful comparisons. Another point of consideration is the fact that some drivers that we stop for traffic violations do not live in Waxahachie or Ellis County, thus making meaningful comparisons more difficult. We have several highways that travel through Waxahachie. Inter-State Highway 35 and Highway 67 both funnel residents from the entire area through the city. It is reasonable to assume that these individuals commit their share of traffic violations.

Data Collection Issues

There are a variety of issues with any data collected on citizen contacts. First, although the law mandates collection, there are some variations in how the data is collected. Hence, there is wide variation in the reporting by law enforcement across the state. In our case, we use data from the Municipal Court software system since all citations are processed through the municipal court. For arrest data, we have our Investigations clerk keep a physical count throughout the year of arrests that originate from traffic stops. There have been efforts to standardize collection methods and agencies are now required to submit certain data to the Texas Commission on Law Enforcement (TCOLE).

The determination of race is sometimes difficult and is left to the officer's opinion. Currently, race is not identified on a State of Texas driver's license. As previously discussed, asking a person for their race could create the perception of a bias. As a result, in compliance with the law, the officers of the Waxahachie Police Department

(50)

determine race through their perception. Hence, each officer must code race as best they can based on physical appearance and surnames.

The issue related to searches is also problematic. As mentioned previously, in any event there can be multiple searches. While the legislation is obviously requesting the recording of a single search, the officers conduct a multitude of searches related to one incident. There can be a probable cause search, a search incident to the arrest, and then, a vehicle search. In the end, the officer has to record a search for the data collection. There are other times where an individual gives consent to a search but in reality, the officer has probable cause to conduct the search anyway.

Finally, the law provides no standards by which to compare the data collected. It only states that a report will be provided to the legislative body. If a comparison is to be made, any statistics gathered must be compared to a variety of other measures and must consider regional and city variations. For example, this report compared Waxahachie statistics with both the city and Ellis County in an attempt to show that although Waxahachie has certain percentages of various races, the same is not necessarily true for the county or the region. City population statistics do not take into account the effect that a major arterial roadway connecting the region will have or the impact that the level of crime in a large retail area will have on decisions to detain or search. In short, a growing community with construction and traffic might very well have higher rates of detentions and searches of minorities than is reflected in their actual population. This does not mean that the agency is racially profiling.

Summary

Statistics alone will never reveal whether police officers engage in racial profiling or not. The police department makes every effort to ensure that each officer is trained and held to high standards of conduct. As can be seen by the video review log, supervisors review an extensive number of traffic contacts to view officer performance. In the end, a police department has to rely on the ethics of its officers and the values instilled within the organization. This department has made efforts in hiring to have a department that is as racially diverse as the community, but it is challenging. We have made strides in this area and will continue to improve the racial makeup of the department. We have hired more minorities than the current staffing reflects due to the fact that some have left the department since being hired. We continue in our efforts and in our last hiring process, we had a group of applicants to take the written test that was 42% minority or female.

We have increased the minority representation in the department and those individuals do not include individuals who may have spouses of a different race or those officers that adopt children of a different race. We have enough diversity and a strong enough department culture that any officer observing any racial profiling would report it. It should also be noted that during this past year we have also promoted two minorities and a female.

At some point in the past, the citizens of Waxahachie voted for the department to be governed by Civil Service rules and the hiring process for officers is very strictly defined

(50)

by law. This inflexible process limits the ability for the department to hire minority and female officers but we have made significant efforts this past year to recruit and attract more minorities to apply with the Waxahachie Police Department. We have recruited heavily at college campuses and we continue to attract a fairly diverse applicant pool. We will continue these recruiting efforts as we have openings.

City Demographics*

Total Population	29,621	
Caucasian	22,381	75.6%
African (Black)	3,819	12.9%
Amer. Indian	175	0.6%
Asian	155	0.5%
Two or More Races	678	2.3%
Hispanic	6,870	23.2%**

* Numbers provided by the US Census Bureau

** Total sum of races exceed actual total population

Police Department by Race (Sworn Officers Only)

Total Number of Officers	75	
Caucasian	63	84%*
African (Black)	5	7%
Amer. Indian	0	0%
Asian	1	1%
Hispanic	5	7%
* Percentages are rounded to nearest whole number		

It should be noted that the racial composition of the department is based on the number of officers currently employed. The department is authorized to have 75 officers and we are currently at full strength. However, it should be noted that the actual numbers of officers by race will vary throughout the year due to employee turnover. We just had a female Hispanic officer resign due to her husband being transferred by his employer. We also have six female officers at this time.

The Waxahachie Police Department is committed to providing police services in a fair and bias free manner. Waxahachie police officers are some of the finest officers in the region and are committed to avoiding any form of bias based policing. Our mission remains to provide the highest level of professional police and emergency services, and dedicating ourselves to protecting life and property, while maintaining the highest ethical standards.

(50)

The Waxahachie Police Department is also committed to providing promotional opportunities to officers of every race and gender. This year, we have promoted a female, a Hispanic officer and a Black officer.

Officers are held accountable for their actions and supervisors are trained to critique the day-to-day performance of their officers. As a routine practice, supervisors review videos from the in-car videos related to traffic stops and other calls. Some of these reviews are generated by questions or issues related to the traffic stop and some of them are random. The video review log (Appendix B) is included in this report.

The Waxahachie Police Department is proud of its officers and we are committed to providing the highest level of service to all of the citizens and visitors to Waxahachie.

(50)

Appendix A

Racial Profiling Statutes and Laws

Art. 3.05. Racial Profiling

In this code, "**racial profiling**" means a law enforcement-initiated action based on an individual's **race**, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, § 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means the following categories:

- (A) Alaska native or American Indian;
- (B) Asian or Pacific Islander;
- (C) black;
- (D) white; and
- (E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(54)

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search;

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

(D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;

(E) the location of the stop; and

(F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Texas Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace

(50)

officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. [3051](#)), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.01, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article [2.132\(a\)](#).

(2) "Race or ethnicity" has the meaning assigned by Article [2.132\(a\)](#).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article [2.133](#). Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(50)

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article [2.133](#) to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article [2.133\(b\)\(1\)](#).

(e) The Texas Commission on Law Enforcement, in accordance with Section [1701.162](#), Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.03, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article [2.132\(a\)](#).

(2) "Race or ethnicity" has the meaning assigned by Article [2.132\(a\)](#).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article [2.133](#). Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article [2.133](#) to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article [2.133\(b\)\(1\)](#).

(e) The Texas Commission on Law Enforcement, in accordance with Section [1701.162](#), Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(50)

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.03, eff. September 1, 2017.

Art. 2.1385. CIVIL PENALTY.

- (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.
- (b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.
- (c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

§ 1701.253. School Curriculum

(a) The commission shall establish minimum curriculum requirements for preparatory and advanced courses and programs for schools subject to approval under Section 1701.251(c)(1).

(b) In establishing requirements under this section, the commission shall require courses and programs to provide training in:

(1) the investigation and documentation of cases that involve:

(A) child abuse or neglect;

(B) family violence; and

(C) sexual assault;

(52)

(2) issues concerning sex offender characteristics; and

(3) crime victims' rights under Chapter 56, Code of Criminal Procedure, and Chapter 57, Family Code, and the duty of law enforcement agencies to ensure that a victim is afforded those rights.

(c) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on civil rights, racial sensitivity, and cultural diversity for persons licensed under this chapter.

(d) Training in documentation of cases required by Subsection (b) shall include instruction in:

(1) making a written account of the extent of injuries sustained by the victim of an alleged offense;

(2) recording by photograph or videotape the area in which an alleged offense occurred and the victim's injuries; and

(3) recognizing and recording a victim's statement that may be admissible as evidence in a proceeding concerning the matter about which the statement was made.

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 657, § 4

(e) As part of the minimum curriculum requirements relating to the vehicle and traffic laws of this state, the commission shall require an education and training program on laws relating to the operation of motorcycles and to the wearing of protective headgear by motorcycle operators and passengers. In addition, the commission shall require education and training on motorcycle operator profiling awareness and sensitivity training.

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 897, § 1

(e) Training officers and recruits in investigation of cases required by Subsection (b)(1)(B) shall include instruction in preventing dual arrest whenever possible and conducting a thorough investigation to determine which person is the predominant aggressor when allegations of family violence from two or more opposing persons are received arising from the same incident.

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 929, § 5

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on asset forfeiture under Chapter 59, Code of Criminal Procedure, for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

(50)

Text of subsection (e) added by Acts 2001, 77th Leg., ch. 947, § 4

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 657, § 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 897, § 1, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 929, § 5, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, § 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1034, § 14, eff. Sept. 1, 2001.

§ 1701.402. Proficiency Certificates

(a) The commission shall issue certificates that recognize proficiency based on law enforcement training, education, and experience. For this purpose the commission shall use the employment records of the employing agency.

(b) As a requirement for a basic proficiency certificate, the commission shall require completion of local courses or programs of instruction on federal and state statutes that relate to employment issues affecting peace officers and county jailers, including:

- (1) civil service;
- (2) compensation, including overtime compensation, and vacation time;
- (3) personnel files and other employee records;
- (4) management-employee relations in law enforcement organizations;
- (5) work-related injuries;
- (6) complaints and investigations of employee misconduct; and
- (7) disciplinary actions and the appeal of disciplinary actions.

(c) An employing agency is responsible for providing the training required by this section.

Text of subsec. (d) as added by Acts 2001, 77th Leg., ch. 929, § 6

(5A)

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on asset forfeiture established by the commission under Section 1701.253(e).

Text of subsec. (d) as added by Acts 2001, 77th Leg., ch. 947, § 5

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 929, § 6, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, § 5, eff. Sept. 1, 2001.

(54)

APPENDIX B

Waxahachie Police Department				
2020 Video Camera Review Log				
1st QUARTER				
A Shift				
Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by
Martin, W	N/A	N/A	N/A	
Martin, W	N/A	N/A	N/A	
Martin, W	N/A	N/A	N/A	
Dunn, B	N/A	N/A	N/A	
Dunn, B	N/A	N/A	N/A	
Dunn, B	N/A	N/A	N/A	
Taylor, J	N/A	N/A	N/A	
Taylor, J	N/A	N/A	N/A	
Taylor, J	N/A	N/A	N/A	
Young, D	1/18/2020	E0050719	1/19/2020	B. Gray
Young, D	2/16/2020	E0055533	3/23/2020	B. Gray
Young, D	3/5/2020	2000003572	3/23/2020	B. Gray
Blain, N	2/19/2020	Accident	2/20/2020	R Wilson
Blain, N	3/25/2020	Arrest	3/28/2020	R Wilson
Blain, N	3/24/2020	Traffic	3/28/2020	R Wilson
Knight, D	1/13/2020	E0056385	1/19/2020	B. Gray
Knight, D	2/6/2020	E0058552	2/11/2020	B. Gray
Knight, D	3/10/2020	2000007506	3/23/2020	B. Gray
Hampton,W	2/20/2020	Traffic	2/2/2020	R Wilson
Hampton,W	3/25/2020	CFS	3/28/2020	R Wilson
Hampton,W	3/19/2020	CFS	3/28/2020	R Wilson
Lytle, S	3/19/2020	CFS	3/28/2020	R Wilson
Lytle, S	3/14/2020	CFS	3/28/2020	R Wilson
Lytle, S	3/11/2020	CFS	3/28/2020	R Wilson
Wright, K	1/23/2020	E0051250	3/23/2020	B. Gray
Wright, K	3/1/2020	Traffic	3/28/2020	R Wilson
Wright, K	2/24/2020	CFS	3/28/2020	R Wilson
Kaelin, C	N/A	N/A	N/A	N/A
Kaelin, C	N/A	N/A	N/A	N/A
Kaelin, C	N/A	N/A	N/A	N/A
Hieskell, D	2/20/2020	Accident	2/2/2020	R Wilson

(50)

Hieskell, D	2/20/2020	Traffic	2/20/2020	R Wilson
Hieskell, D	3/25/2020	Traffic	3/28/2020	R Wilson
Behringer, D	1/10/2020	E0050693	3/28/2020	B. Gray
Behringer, D	2/23/2020	E0055384	3/28/2020	B. Gray
Behringer, D	3/14/2020	E0050363	3/28/2020	B. Gray
Clayton, R	2/20/2020	CFS	2/20/2020	R Wilson
Clayton, R	3/9/2020	Traffic	3/28/2020	R Wilson
Clayton, R	3/1/2020	CFS	3/28/2020	R Wilson
McCorkle, M	1/9/2020	2000000889	1/19/2020	B. Gray
McCorkle, M	2/2/2020	2000003572	2/11/2020	B. Gray
McCorkle, M	3/1/2020	2000006419	3/23/2020	B. Gray
Brasher, A	1/14/2020	E0058275	1/19/2020	B. Gray
Brasher, A	2/6/2020	E0056922	2/11/2020	B. Gray
Brasher, A	3/19/2020	E0058694	3/23/2020	B. Gray
Skidmore, R	1/8/2020	E0057184	1/19/2020	B. Gray
Skidmore, R	2/1/2020	E0054374	2/11/2020	B. Gray
Skidmore, R	3/19/2020	E0055564	3/23/2020	B. Gray
Patterson, K	3/23/2020	CFS	3/28/2020	R Wilson
Patterson, K	3/13/2020	Traffic	3/28/2020	R Wilson
Patterson, K	1/20/2020	CFS	3/28/2020	R Wilson
Snyder, D	1/8/2020	E0057759	1/19/2020	B. Gray
Snyder, D	2/6/2020	E0057882	2/11/2020	B. Gray
Snyder, D	3/10/2020	2000007506	3/23/2020	B. Gray

Waxahachie Police Department 2020 Video Camera Review Log

2nd QUARTER					
A Shift					
Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by	
Martin, W	N/A	N/A	N/A	N/A	
Martin, W	N/A	N/A	N/A	N/A	
Martin, W	N/A	N/A	N/A	N/A	
Dunn, B	N/A	N/A	N/A	N/A	
Dunn, B	N/A	N/A	N/A	N/A	
Dunn, B	N/A	N/A	N/A	N/A	
Taylor, J	N/A	N/A	N/A	N/A	
Taylor, J	N/A	N/A	N/A	N/A	
Taylor, J	N/A	N/A	N/A	N/A	

(5)

Young, D	4/16/2020	2000010594	5/24/2020	B.Gray
Young, D	5/22/2020	2000013748	6/3/2020	B.Gray
Young, D	6/6/2020	2000015218	6/7/2020	B.Gray
Blain, N	6/2/2020	2000014745	6/2/2020	K.WRIGHT
Blain, N	4/24/2020	2000011200	6/2/2020	K.WRIGHT
Blain, N	6/10/2020	2000015688	6/11/2020	K.WRIGHT
Fields, J	4/26/2020	2000011355	5/15/2020	B.Gray
Fields, J	5/24/2020	2000013912	6/3/2020	B.Gray
Fields, J	6/10/2020	2000015708	6/15/2020	B.Gray
Hampton, W	5/27/2020	2000014116	6/2/2020	K.WRIGHT
Hampton, W	6/2/2020	E0060080	6/2/2020	K.WRIGHT
Hampton, W	6/10/2020	2000015704	6/11/2020	K.WRIGHT
Lytle, S	5/28/2020	2000014237	6/2/2020	K.WRIGHT
Lytle, S	6/10/2020	200015704	6/11/2020	K.WRIGHT
Lytle, S	4/25/2020	2000011259	6/15/2020	K.WRIGHT
Wright, K	4/6/2020	2000009781	6/3/2020	B.Gray
Wright, K	5/23/2020	2000013821	6/3/2020	B.Gray
Wright, K	6/6/2020	2000015243	6/15/2020	B.Gray
Garner, S	5082020	2000012462	5/9/2020	K.WRIGHT
Garner, S	5282020	2000014273	6/2/2020	K.WRIGHT
Garner, S	4/30/2020	2000011654	6/15/2020	K.WRIGHT
Hieskell, D	5082020	2000012462	5092020	K.WRIGHT
Hieskell, D	5/28/2020	E0059579	6/2/2020	K.WRIGHT
Hieskell, D	4/17/2020	2000011576	6/15/2020	K.WRIGHT
Behringer, D	4/25/2020	2000011274	6/3/2020	B.Gray
Behringer, D	6/2/2020	2000014830	6/7/2020	B.Gray
Behringer, D	6/1/2020	2000014774	6/11/2020	K.WRIGHT
Clayton, R	4/15/2020	2000014116	6/2/2020	K.WRIGHT
Clayton, R	6/7/2020	2000015238	6/11/2020	K.WRIGHT
Clayton, R	5/18/2020	2000012957	6/11/2020	K.WRIGHT
McCorkle, M	4/1/2020	2000009503	4/2/2020	B.Gray
McCorkle, M	4/17/2020	2000010610	5/15/2020	B.Gray
McCorkle, M	6/2/2020	2000014842	6/7/2020	B.Gray
Brasher, A	4/30/2020	2000011631	5/24/2020	B.Gray
Brasher, A	6/1/2020	E0057271	6/3/2020	B.Gray
Brasher, A	6/11/2020	2000004562	6/15/2020	B.Gray
Skidmore, R	4/20/2020	2000010927	5/15/2020	B.Gray
Skidmore, R	5/18/2020	2000013384	5/18/2020	B.Gray
Skidmore, R	6/5/2020	E0054598	6/7/2020	B.Gray
Patterson, K	4/26/2020	2000011317	5/24/2020	B.Gray
Patterson, K	5/24/2020	2000013865	6/3/2020	B.Gray

(50)

Patterson, K	6/6/2020	E0054410	6/7/2020	B.Gray
Snyder, D	4/11/2020	2000010221	5/15/2020	B.Gray
Snyder, D	5/22/2020	2000013741	5/24/2020	B.Gray
Snyder, D	6/6/2020	E0060084	6/7/2020	B.Gray

Waxahachie Police Department
2020 Video Camera Review Log

3rd QUARTER					
A Shift					
Officer Name	Date of Incident	Case No.	Date of Review	Reviewed by	
Martin, W	N/A	N/A	N/A	N/A	
Martin, W	N/A	N/A	N/A	N/A	
Martin, W	N/A	N/A	N/A	N/A	
Dunn, B	7/28/2020	2000020825	8/5/2020	K.WRIGHT	
Dunn, B	8/20/2020	E00603000	8/30/2020	B. Gray	
Dunn, B	9/3/2020	2000022235	9/7/2020	B. Gray	
Garner, S	8/1/2020	2000021306	8/7/2020	K.WRIGHT	
Garner, S	8/24/2020	2000024320	8/30/2020	K.WRIGHT	
Garner, S	9/17/2020	E0060546	9/23/2020	K.WRIGHT	
Young, D	7/23/2020	2000020371	8/1/2020	B. Gray	
Young, D	8/10/2020	2000022461	8/15/2020	B. Gray	
Young, D	9/3/2020	2000025559	9/7/2020	B. Gray	
Blain, N	7/27/2020	E0050811	8/7/2020	K.WRIGHT	
Blain, N	8/29/2020	2000025024	8/30/2020	K.WRIGHT	
Blain, N	9/21/2020	E0050463	9/22/2020	B. Gray	
Fields, J	8/6/2020	2000022026	8/7/2020	K.WRIGHT	
Fields, J	8/26/2020	2000024520	8/30/2020	K.WRIGHT	
Fields, J	9/23/2020	2000027699	9/23/2020	K.WRIGHT	
Hampton, W	8/5/2020	2000021899	8/7/2020	K.WRIGHT	
Hampton, W	8/29/2020	2000024962	8/30/2020	K.WRIGHT	
Hampton, W	9/21/2020	E0060416	9/23/2020	K.WRIGHT	
Lytle, S	8/2/2020	2000021504	8/7/2020	K.WRIGHT	
Lytle, S	8/28/2020	2000024934	8/29/2020	K.WRIGHT	
Lytle, S	9/17/2020	E0050460	9/23/2020	K.WRIGHT	
Wright, K	7/3/2020	2000018388	8/30/2020	B. Gray	
Wright, K	8/2/2020	2000021421	8/30/2020	B. Gray	
Wright, K	9/4/2020	2000025633	9/7/2020	B. Gray	

(50)

Mikeska, T	N/A	N/A	N/A	N/A
Mikeska, T	N/A	N/A	N/A	N/A
Mikeska, T	N/A	N/A	N/A	N/A
McCorkle, M	7/19/2020	E0043786	7/22/2020	B. Gray
McCorkle, M	8/5/2020	2000021892	8/15/2020	B. Gray
McCorkle, M	8/30/2020	2000025087	9/7/2020	B. Gray
Behringer, D	7/16/2020	2000019563	7/22/2020	B. Gray
Behringer, D	8/7/2020	2000022130	8/15/2020	B. Gray
Behringer, D	9/5/2020	2000025783	9/7/2020	B. Gray
Heiskell, D	8/5/2020	E0060255	8/7/2020	K.WRIGHT
Heiskell, D	8/21/2020	2000023822	8/21/2020	K.WRIGHT
Heiskell, D	8/29/2020	2000025028	8/30/2020	K.WRIGHT
Brasher, A	7/18/2020	E0060194	7/22/2020	B. Gray
Brasher, A	8/11/2020	2000022522	8/15/2020	B. Gray
Brasher, A	8/29/2020	E0054461	8/30/2020	B. Gray
Skidmore, R	7/4/2020	E0043784	7/22/2020	B. Gray
Skidmore, R	7/28/2020	E0054617	8/1/2020	B. Gray
Skidmore, R	8/30/2020	2000025079	8/30/2020	D. Young
Patterson, K	7/18/2020	2000019664	7/22/2020	B. Gray
Patterson, K	7/31/2020	E0060221	8/1/2020	B. Gray
Patterson, K	8/28/2020	E0059346	8/30/2020	B. Gray
Snyder, D	7/17/2020	2000019795	7/22/2020	B. Gray
Snyder, D	8/1/2020	E0059245	8/16/2020	B. Gray
Snyder, D	8/28/2020	2000024813	9/7/2020	B. Gray

Waxahachie Police Department				
2020 Video Camera Review Log				
4th QUARTER				
A Shift				
Officer Name	Date of Incident	Case No.	Date of Review	Reviewed by
Martin, W	N/A	N/A	N/A	N/A
Martin, W	N/A	N/A	N/A	N/A
Martin, W	N/A	N/A	N/A	N/A
Dunn, B	10/10/2020	2000029877	10/11/2020	B. Gray

(50)

Dunn, B	11/11/2020	E0053722	11/13/2020	B. Gray
Dunn, B	12/23/2020	P201223-5359	12/24/2020	N. Blain
Garner, S	10/25/2020	2000031644	10/30/2020	B. Gray
Garner, S	11/8/2020	2000033301	11/13/2020	B. Gray
Garner, S	12/15/2020	E0062015	12/30/2020	B. Gray
Blain, N	10/6/2020	2000029291	10/11/2020	B. Gray
Blain, N	11/7/2020	E0047467	11/13/2020	B. Gray
Blain, N	12/14/2020	P201214-5291	12/30/2020	B. Gray
Fields, J	10/20/2020	2000031086	10/30/2020	B. Gray
Fields, J	11/3/2020	E0063506	11/13/2020	B. Gray
Fields, J	12/20/2020	E0063609	12/30/2020	B. Gray
Hampton, W	10/25/2020	2000031628	10/29/2020	D. Young
Hampton, W	11/20/2020	E0051370	11/21/2020	D. Young
Hampton, W	12/4/2020	201204-5191	12/5/2020	D. Young
Lytle, S	10/24/2020	2000031533	10/29/2020	D. Young
Lytle, S	11/11/2020	2000033716	11/22/2020	D. Young
Lytle, S	12/1/2020	E0063069	12/4/2020	D. Young
Wright, K	10/15/2020	2000030067	10/29/2020	D. Young
Wright, K	10/9/2020	2000029709	11/22/2020	D. Young
Wright, K	11/25/2020	P201125-5113	12/5/2020	D. Young
Mikeska, T	N/A	N/A	N/A	N/A
Mikeska, T	N/A	N/A	N/A	N/A
Mikeska, T	N/A	N/A	N/A	N/A
McCorkle, M	10/24/2020	2000031504	10/25/2020	B. Gray
McCorkle, M	11/16/2020	E0060597	11/17/2020	B. Gray
McCorkle, M	12/5/2020	P201205-5211	12/7/2020	B. Gray
Behringer, D	10/7/2020	2000029513	11/13/2020	B. Gray
Behringer, D	12/10/2020	P201210-5262	12/10/2020	N. Blain
Behringer, D	12/17/2020	P201218-5313	12/30/2020	B. Gray
Heiskell, D	10/28/2020	E0059488	10/29/2020	D. Young
Heiskell, D	11/16/2020	2000034344	11/21/2020	D. Young
Heiskell, D	12/1/2020	E0043937	12/4/2020	D. Young
Brasher, A	10/28/2020	E0063010	10/29/2020	D. Young
Brasher, A	11/6/2020	N/A	11/21/2020	D. Young
Brasher, A	11/30/2020	P201130-5148	12/4/2020	D. Young

(50)

Skidmore, R	10/6/2020	2000029291	10/6/2020	B. Gray
Skidmore, R	11/11/2020	E0043923	11/17/2020	B. Gray
Skidmore, R	12/23/2020	P201223-5359	12/30/2020	B. Gray
Patterson, K	10/29/2020	E0054489	10/30/2020	B. Gray
Patterson, K	11/11/2020	E0061004	11/17/2020	B. Gray
Patterson, K	12/21/2020	E0062021	12/30/2020	B. Gray
Snyder, D	10/23/2020	E0050873	10/29/2020	D. Young
Snyder, D	11/12/2020	2000033832	11/21/2020	D. Young
Snyder, D	11/21/2020	201121-00625	11/22/2020	D. Young

Waxahachie Police Department
2020 Video Camera Review Log

1st QUARTER					
B Shift					
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by	
Huckabee, C	1/2/2020	2000000136	3/30/2020	BF122	
Huckabee, C	2/21/2020	E0054386	3/30/2020	BF122	
Huckabee, C	3/17/2020	CFS	3/30/2020	BF122	
Gilbert, B	3/3/2020	2000006629	3/31/2020	RT105	
Gilbert, B	3/13/2020	None	3/31/2020	RT105	
Gilbert, B	3/6/2020	2000006996	3/31/2020	RT105	
Rollins, A	1/16/2020	2000001668	3/26/2020	BF122	
Rollins, A	2/26/2020	E0050762	3/26/2020	BF122	
Rollins, A	3/12/2020	CFS	3/26/2020	BF122	
Farmer, C	1/6/2020	2000000601	3/26/2020	BF122	
Farmer, C	2/22/2020	E0057959	3/26/2020	BF122	
Farmer, C	3/6/2020	CFS	3/26/2020	BF122	
Smith, E	1/24/2020	1900002577	3/26/2020	BF122	
Smith, E	2/17/2020	E0058420	3/26/2020	BF122	
Smith, E	3/17/2020	CFS	3/26/2020	BF122	
Stephens, B	1/12/2020	2000001186	3/30/2020	BF122	
Stephens, B	2/8/2020	E0058386	3/30/2020	BF122	
Stephens, B	3/25/2020	CFS	3/30/2020	BF122	
Borjas, P	3/21/2020	2000008642	3/26/2020	DM130	
Borjas, P	3/16/2020	E0057267	3/26/2020	DM130	
Borjas, P	2/9/2020	CFS	3/26/2020	DM130	

(50)

Page, N	1/2/2020	none	3/31/2020	RT105
Page, N	1/1/2002	E0057731	3/31/2020	RT105
Page, N	1/11/2020	Arrest Unk #	3/31/2020	RT105
Stracener, A	3/26/2020	2000009060	3/26/2020	DM130
Stracener, A	3/22/2020	E0059537	3/26/2020	DM130
Stracener, A	3/11/2020	CFS	3/26/2020	DM130
Sibley, C	3/7/2020	E0057255	3/30/2020	DM130
Sibley, C	2/14/2020	E0057226	3/30/2020	DM130
Sibley, C	2/28/2020	2000006130	3/30/2020	DM130
S. Martin	3/6/2020	E0059036	3/31/2020	RT105
S. Martin	3/8/2020	2000007214	3/31/2020	RT105
S. Martin	3/12/2020	2000007779	3/31/2020	RT105
Starkey, A	3/26/2020	CFS	3/30/2020	DM130
Starkey, A	3/26/2020	Citation #156149	3/30/2020	DM130
Starkey, A	2/13/2020	E0056949	3/30/2020	DM130
Wilmot, R	3/22/2020	E0060021	3/30/2020	DM130
Wilmot, R	3/16/2020	CFS	3/30/2020	DM130
Wilmot, R	2/17/2020	CFS	3/30/2020	DM130

Waxahachie Police Department				
2020 Video Camera Review Log				
2nd QUARTER				
B Shift				
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
Huckabee, C	6.5.2020	15126	6.8.2020	BF122
Huckabee, C	5.21.20	13663	6.27.20	BF122
Huckabee, C	4.20.20	CFS	6.27.20	BF122
Gilbert, B	4.10.2020	10136	6.9.2020	BF122
Gilbert, B	5.18.2020	13304	6.9.2020	BF122
Gilbert, B	6.18.20	16628	6.23.20	BF122
Rollins, A	4.23.2020	11089	5.25.2020	RT105
Rollins, A	6.5.2020	15126	6.8.2020	BF122

(5c)

Rollins, A	6.14.20	E0059131	6.23.20	BF122
Farmer, C	4.23.2020	11089	5.25.2020	RT105
Farmer, C	5.7.2020	12381	5.25.2020	RT105
Farmer, C	5.21.2020	13663	5.22.2020	BF122
Smith, E	4.23.2020	11089	5.25.2020	RT105
Smith, E	6.4.2020	15111	6.5.2020	CH131
Smith, E	4.27.2020	11436	4.28.2020	BF122
Stephens, B	4.27.2020	11436	4.28.2020	BF122
Stephens, B	5.27.2020	14115	6.9.2020	BF122
Stephens, B	6.17.20	E0050401	6.23.20	BF122
Ferguson, M	4.26.2020	11353	6.9.2020	BF122
Ferguson, M	5.8.20	12500	6.23.20	BF122
Ferguson, M	6.14.20	E0060106	6.23.20	BF122
Borjas, P	6/14/2020	CFS	6/28/2020	DM130
Borjas, P	6/12/2020	2000015903	6/28/2020	DM130
Borjas, P	5/1/2020	CFS	6/28/2020	DM130
A. Stracener	5/20/2020	200006647	6/9/2020	DM130
A. Stracener	5/31/2020	E0059111	6/9/2020	DM130
A. Stracener	6/3/2020	2000014933	6/9/2020	DM130
Sibley, C	6/13/2020	2000016059	6/14/2020	DM130
Sibley, C	5/31/2020	2000014602	6/28/2020	DM130
Sibley, C	4/19/2020	2000010800	6/28/2020	DM130
S. Martin	4/3/2020	CFS	6/9/2020	DM130
S. Martin	5/26/2020	2000014045	6/9/2020	DM130
S. Martin	5/30/2020	E0047408	6/9/2020	DM130
Starkey, A	6/13/2020	2000016059	6/14/2020	DM130
Starkey, A	6/26/2020	E0059639	6/28/2020	DM130
Starkey, A	5/30/2020	E0059104	6/28/2020	DM130
Wilmot, R	4/9/2020	2000100086	4/9/2020	DM130
Wilmot, R	3/17/2020	CFS	6/28/2020	DM130
Wilmot, R	4/27/2020	2000011407	6/28/2020	DM130
Brister, G	6/13/2020	2000016059	6/13/2020	DM130
Brister, G	6/26/2020	CFS	6/28/2020	DM130
Brister, G	6/4/2020	2000015042	6/28/2020	DM130

(52)

Waxahachie Police Department
2020 Video Camera Review Log

3rd QUARTER					
B Shift					
	Officer Name	Date of Incident	Case No. (Opt.)	Date of Review	Reviewed by
	Huckabee, C	7/16/2020	Motorist Assist	9/22/2020	RT105
	Huckabee, C	7/26/2020	2000020648	9/22/2020	RT105
	Huckabee, C	8/31/2020	2000025180	9/22/2020	RT105
	Gilbert, B	7/20/2020	2000020040	9/18/2020	BF122
	Gilbert, B	8/17/2020	2000022318	9/18/2020	BF122
	Gilbert, B	9/1/2020	CFS	9/18/2020	BF122
	Rollins, A	7/1/2020	2000018105	9/18/2020	BF122
	Rollins, A	8/7/2020	E0050429	9/18/2020	BF122
	Rollins, A	9/5/2020	CFS	9/18/2020	BF122
	Fuller, B	8/17/2020	TS	9/22/2020	RT105
	Fuller, B	8/31/2020	TS	9/22/2020	RT105
	Fuller, B	9/10/2020	2000026440	9/22/2020	RT105
	Smith, E	7/15/2020	2000019654	9/18/2020	BF122
	Smith, E	8/7/2020	E0060258	9/18/2020	BF122
	Smith, E	9/9/2020	CFS	9/18/2020	BF122
	Stephens, B	7/25/2020	2000020531	9/18/2020	BF122
	Stephens, B	8/18/2020	E0059306	9/18/2020	BF122
	Stephens, B	9/9/2020	CFS	9/18/2020	BF122
	Ferguson, M	5/9/2020	2000012500	9/24/2020	DM130
	Ferguson, M	7/26/2020	CFS	9/24/2020	DM130
	Ferguson, M	E0060414	9/20/2020	9/24/2020	DM130
	Borjas, P	7/25/2020	2000020508	9/22/2020	RT105
	Borjas, P	7/26/2020	20000020672	9/22/2020	RT105
	Borjas, P	8/27/2020	E0057351	9/22/2020	RT105
	Stracener, A	5/31/2020	E0060411	9/24/2020	DM130
	Stracener, A	7/16/2020	CFS	9/24/2020	DM130
	Stracener, A	9/19/2020	E0060411	9/24/2020	DM130
	Sibley, C	5/3/2020	CFS	9/24/2020	DM130
	Sibley, C	8/18/2020	2000023493	9/24/2020	DM130
	Sibley, C	9/1/2020	E0059824	9/24/2020	DM130
	Martin, S	4/5/2020	CFS	9/24/2020	DM130
	Martin, S	5/30/2020	E0047408	9/24/2020	DM130

(5c)

Martin, S	CFS	7/17/2020	9/24/2020	DM130
Starkey, A	5/31/2020	CFS	9/24/2020	DM130
Starkey, A	8/18/2020	2000023493	9/24/2020	DM130
Starkey, A	9/6/2020	E0059824	9/24/2020	DM130
Wilmot, R	8/31/2020	2000025241	8/31/2020	DM130
Wilmot, R	5/25/2020	2000013980	9/24/2020	DM130
Wilmot, R	9/21/2020	2000027602	9/23/2020	DM130
Brister,G	9/5/2020	200025880	9/6/2020	DM130
Brister,G	7/26/2020	E0059697	9/24/2020	DM130
Brister,G	5/11/2020	2000012685	9/24/2020	DM130
Sattler, A	8/19/2020	2000023539	8/26/2020	DM130
Sattler, A	8/21/2020	E0043843	8/27/2020	DM130
Sattler, A	7/15/2020	2000019660	8/27/2020	DM130

Waxahachie Police Department

2020 Video Camera Review Log

4th QUARTER					
B Shift					
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by	
Borjas, P	11/29/2020	P201129-5137	12/30/2020	105	
Borjas, P	12/22/2020	P201222-5347	12/30/2020	105	
Borjas, P	12/17/2020	P201217-5313	12/20/2020	Rt105	
Gilbert, B	10/3/2020		12/7/2020	AB127	
Gilbert, B	11/28/2020	E0064006	12/7/2020	AB127	
Gilbert, B					
Stephens, B	10/17/2020	2000030611	12/7/2020	AB127	
Stephens, B	11/1/2020		12/7/2020	AB127	
Stephens, B	12/17/2020	P201217-5313	12/20/2020	RT105	
Rollins, A	10/18/2020		12/7/2020	AB127	
Rollins, A	10/23/2020	2000031393	12/7/2020	AB127	
Rollins, A					
Smith, E	11/1/2020	2000032409	12/7/2020	AB127	
Smith, E	10/17/2020	2000030624	12/7/2020	AB127	
Smith, E	12/18/2020	P201217-5313	12/20/2020	Rt105	
Ferguson, M	10/3/2020	E0043889	12/7/2020	AB127	
Ferguson, M	11/10/2020		12/7/2020	AB127	
Ferguson, M					

(5)

Ramirez, R	10/13/2020	E0043899	12/8/2020	AB127
Ramirez, R	10/18/2020		12/8/2020	AB127
Ramirez, R	10/27/2020	2000031887	12/8/2020	AB127
Mason, T	10/1/2020	E0059420	12/7/2020	AB127
Mason, T	10/16/2020	2000030508	12/7/2020	AB127
Mason, T	12/17/2020	P201217-5313	12/20/2020	RT105
Moxley, J	11/10/2020		11/10/2020	AB127
Moxley, J	10/27/2020	2000031883	11/10/2020	AB127
Moxley, J	10/1/2020	E0060436	12/7/2020	AB127
Stracener, A	10/16/2020	E0059910	12/30/2020	DM130
Stracener, A	11/9/2020	CFS	12/30/2020	DM130
Stracener, A	12/21/2020	20022084	12/30/2020	DM130
Sibley, C	10/18/2020	CFS	12/30/2020	DM130
Sibley, C	11/27/2020	E0043935	12/3/2020	DM130
Sibley, C	12/8/2020	201208-02910	12/30/2020	DM130
Butler, B	10/25/2020	2000031684	12/30/2020	DM130
Butler, B	11/14/2020	E0061007	12/30/2020	DM130
Butler, B	12/2/2020	E0063576	12/30/2020	DM130
Wilmot, R	10/3/2020	2000029022	10/4/2020	AB127
Wilmot, R	11/13/2020	2000033945	12/30/2020	DM130
Wilmot, R	12/16/2020	E0062015	12/30/2020	DM130
Brister, G	10/16/2020	200030554	12/30/2020	DM130
Brister, G	11/24/2020	P201124-5106	12/30/2020	DM130
Brister, G	12/21/2020	P201221	12/30/2020	DM130
Sattler, A	12/13/2020	P201213-5283	12/16/2020	DM130
Sattler, A	11/15/2020	traffic stop	12/30/2020	DM130
Sattler, A	11/24/2020	E0043927	12/30/2020	DM130
McKie, D	9/7/2020	2000025965	12/20/2020	Rt105
McKie, D	10/21/2020		12/20/2020	Rt105
McKie, D	12/11/2020	Fraud	12/20/2020	Rt105
Stephenson, C	12/11/2020	201211-03278	12/20/2020	RT105
Stephenson, C	11/19/2020	E0063045	12/30/2020	DM130
Stephenson, C	12/12/2020	CFS	12/30/2020	DM130

(50)

Waxahachie Police Department

2020 Video Camera Review Log

1st QUARTER					
PDRT					
	Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
	A. Partington	1/16/2020	2000001660	2/16/2020	SS120
	A. Partington	2/6/2020	2000003878	2/16/2020	SS120
	A. Partington	2/28/2020	2000006189	3/18/2020	SS120
	D. Koch	2/11/2020	2000004397	2/16/2020	SS120
	D. Koch	1/14/2020	no #	2/16/2020	SS120
	D. Koch	2/13/2020	E0051255	3/18/2020	SS120
2nd QUARTER					
PDRT					
	Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
	A. Partington	5/11/2020	2000012728	5/12/2020	SS #120
	A. Partington	5/14/2020	2000012980	9/3/2020	SS #120
	A. Partington	6/22/2020	2000017142	9/3/2020	SS #120
	D. Koch	5/11/2020	2000012728	5/12/2020	SS #120
	D. Koch	6/8/2020	2000015416	9/3/2020	SS #120
	D. Koch	6/30/2020	2000017981	9/3/2020	SS #120
3rd QUARTER					
PDRT					
	Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
	A. Partington	8/4/2020	2000021767	8/4/2020	SS #120
	A. Partington	8/15/2020	2000011247	9/3/2020	SS #120
	A. Partington	8/25/2020	no #	9/3/2020	SS #120
	D. Koch	8/4/2020	2000021767	8/4/2020	SS #120
	D. Koch	7/1/2020	2000018093	9/3/2020	SS #120
	D. Koch	8/8/2020	2000022157	9/3/2020	SS #120
4th QUARTER					
PDRT					
	Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
	A. Partington	10/13/2020	2000011089	10/29/2020	SS #120
	A. Partington	11/10/2020	2000021721	11/28/2020	SS #120
	A. Partington	12/5/2020	P201205-5209	1/4/2021	SS #120
	D. Koch	10/7/2020	2000029495	10/29/2020	SS #120

(5c)

D. Koch	11/4/2020	2000032933	11/28/2020	SS #120
D. Koch	12/11/2020	2016057-Ennis PD	1/4/2021	SS #120

Waxahachie Police Department
2020 Video Camera Review Log

1st QUARTER					
Traffic					
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by	
Sgt. Guthrie	2.27.20	2000006069	3.26.20	Rt105	
Sgt. Guthrie	3.7.20	none	3.26.20	RT105	
Sgt. Guthrie	3.10.20	2000007449	3.26.20	RT105	
A. Gonzales	1/12/2020	E0056383	4/1/2020	RG114	
A. Gonzales	2/17/2020	E0058569	4/1/2020	RG114	
A. Gonzales	3/16/2020	E0058690	4/1/2020	RG114	
Kaelin	1/20/2020	E0043651	4/1/2020	RG114	
Kaelin	2/12/2020	E0057928	4/1/2020	RG114	
Kaelin	3/3/2020	E0057993	4/1/2020	RG114	
D. Knight	1/13/2020	E0056391	4/1/2020	RG114	
D. Knight	2/11/2020	E0058559	4/1/2020	RG114	
D. Knight	3/27/2020	E0058696	4/1/2020	RG114	
2nd QUARTER					
Traffic					
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by	
Sgt. Guthrie	6/10/2020	E0050383	9/29/2020	Rt105	
Sgt. Guthrie	7/8/2020	E0055491	9/29/2020	RT105	
Sgt. Guthrie	9/1/2020	E0052454	9/29/2020	Rt105	
A. Gonzales	4/3/2020	156465	6/30/2020	RG114	
A. Gonzales	5/16/2020	E0058737	6/30/2020	RG114	
A. Gonzales	6/26/2020	E0058838	6/30/2020	RG114	
D. Knight	4/11/2020	E0058702	6/17/2020	RG114	
D. Knight	5/10/2020	E0058737	6/17/2020	RG114	
D. Knight	6/15/2020	E0058838	6/17/2020	RG114	
3rd QUARTER					
Traffic					

(50)

Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
Sgt. Guthrie	9/23/2020	2000027904	9/29/2020	RT105
Sgt. Guthrie	9/25/2020	2000027881	9/29/2020	RT105
Sgt. Guthrie	8/21/2020	E0043838	9/23/2020	RT105
A. Gonzales	7/11/2020	E0060172	9/28/2020	RG114
A. Gonzales	8/18/2020	E0058925	9/28/2020	RG114
A. Gonzales	9/6/2020	E0058987	9/28/2020	RG114
D. Knight	7/5/2020	E0058851	9/28/2020	RG114
D. Knight	8/20/2020	E0057325	9/28/2020	RG114
D. Knight	9/16/2020	E0062542	9/28/2020	RG114

4th QUARTER				
Traffic				
Officer Name	Date of Incident	Case No.(Opt.)	Date of Review	Reviewed by
Sgt. Guthrie	10/16/2020	E0050863	12/30/2020	105
	11/9/2020	E0050903	12/30/2020	105
	12/10/2020	E0051396	12/230/20	105
A. Gonzales	10/21/2020	E0062707	12/29/2020	114
	11/18/2020	E0062771	12/29/2020	114
	12/17/2020	E0062843	12/29/2020	114
D. Knight	10/14/2020	E0062655	12/29/2020	114
	11/20/2020	E0062777	12/29/2020	114
	12/19/2020	E0062846	12/29/2020	114



Memorandum

To: Honorable Mayor and City Council
From: Thomas Griffith, Emergency Management Coordinator
Thru: Michael Scott, City Manager
Date: January 26, 2021
Re: Consider a Mutual Aid Agreement with Ellis County for Coordination of a Vaccine Hub.

Item Description: Consider a mutual aid agreement with Ellis County for coordination of a Vaccine Hub at the Waxahachie Senior Center. The City of Waxahachie, Ellis County, Baylor Scott and White and other partners will operate a vaccine hub for the administration of vaccine to 1A and 1B populations.

Item Summary: On January 21, 2021 the County Commissioners Court passed and the County Judge signed a mutual aid agreement between the City of Waxahachie and the County. The intent of this agreement is for the operation of a vaccine hub at the Senior Center. The State wants the County to be the lead on the site and execute contracts as well as submit all expenses for reimbursement. A mutual aid agreement is needed to insure all reimbursement procedures are followed.

Fiscal Impact: On January 21, 2021, President Biden issued a memorandum that includes provisions related to cost assistance for the administration of vaccines under Public Assistance Grants. FEMA will now fund vaccine distribution and administration related cost of these projects at 100%. FEMA will fund these projects for work conducted on and after January 21, 2021, until September 30, 2021. Expenses expected to be incurred by the City of Waxahachie for reimbursement will be personnel cost, facilities cost, expendables and other miscellaneous items. This mutual aid agreement is one portion of the documentation needed in the reimbursement process.

15 (5d)



STATE OF TEXAS
ELLIS COUNTY, TEXAS

Mutual Aid Agreement

WHEREAS, Chapter 791 of the Texas Government Code Authorizes agreements between political subdivisions of the state in order to more efficiently provide services to the citizens of the State of Texas, and;

WHEREAS, local government authorities have a responsibility to act in time of emergency as provided by Chapter 418 of the Government Code, also known as the Texas Disaster Act of 1975, for the purposes expressed in Sec. 418.002 of the act, and;

WHEREAS, the County of Ellis, Texas and the City of Waxahachie, political subdivisions of the State of Texas, desire to mutually cooperate to aid one another in time of emergency, the party providing aid, hereinafter referred to as the "providing jurisdiction" and the party receiving aid, hereinafter referred to as the "receiving jurisdiction."

NOW, THEREFORE, in the consideration of the above recitals and covenants contained herein, the parties hereto agree as follows:

1. The providing jurisdiction hereby agrees to provide, through its Emergency Management Department or equivalent, in consultation with its elected officials or designees and pursuant to its emergency management plan, such mutual aid as may be requested by the requesting jurisdiction for emergency conditions as defined by the Texas Disaster Act of 1975. The aid rendered shall be to the extent of available personnel and equipment not required for the minimum needs of the providing jurisdiction. The judgment of the providing jurisdiction shall be final decision as to the personnel and equipment so available. Any requests for aid must be verified, in written form to the governing body of the providing jurisdiction or its designees.
2. Personnel dispatched to the aid of another jurisdiction shall remain the employees of the providing jurisdiction, but shall work under the supervision of the requesting jurisdiction. The providing jurisdiction retains the right to withdraw any and all aid rendered, at any time, when in the sole judgment of the providing jurisdiction, such action is necessary or advisable.
3. The providing jurisdiction will render such aid to the requesting jurisdiction, and the requesting jurisdiction agrees to compensate the providing jurisdiction for costs incurred as expeditiously as possible. It is specifically understood and agreed between the parties that the providing jurisdiction will seek, if available, reimbursement from other potential sources for the services provided to the requesting jurisdiction. It is further understood and agreed that the requesting jurisdiction will reimburse the providing jurisdiction, in full, for those expenses that relate directly to the services the providing jurisdiction rendered for the requesting jurisdiction. In this regard it is understood that the receiving jurisdiction will reimburse the providing jurisdiction for straight time, overtime, or emergency time rates the providing jurisdiction is required to pay at the time as well as or reasonable charges for equipment used.

(Ed)

4. The providing jurisdictions will maintain workers compensation coverage for its employees and at its sole option may provide liability insurance coverage for its vehicles and equipment. Any uninsured or extraordinary expenses may be a part of claimed costs for reimbursement.

5. It is understood that, in order for any providing jurisdiction to receive payment for aid provided, they must comply with procedures for submitting documentation that clearly itemizes and supports their claim and that if adequate documentation supporting the claim is not timely submitted, payment for the services/aid rendered will be denied until such deficiencies are corrected. It is further agreed that the requesting jurisdiction will maintain copies of all documentation submitted in support of their claim until released by the City of ~~waxahachie~~ The parties hereby acknowledge that they have received adequate information to enable them to properly prepare and submit their claims for payment.

6. Neither party to this agreement shall be liable for its failure or refusal to render aid pursuant to this agreement and no third person is entitled to rely on this agreement as the basis for any claim against any party hereto.

7. This agreement shall be effective on the last date executed by any party hereto and shall remain in full force and effect unless and until terminated by a party by giving written notice of such termination to the governing body of the other party.

8. Requests for aid should and notices shall be made to:

Ellis County, Texas
Todd Little, Ellis County Judge/
Emergency Management Director
Office of Ellis County Judge
101 West Main Street,
Waxahachie, TX 75165
972-825-5011

City of ~~Waxahachie~~ Texas
Mayor/ Emergency Management Director
Attn: Office of the Mayor

(5d)

IN WITNESS WHEREOF, this Agreement has been duly executed by the signatures hereto being duly authorized by the appropriate action of their respective governing bodies as required by law.

ELLIS COUNTY, TEXAS

CITY OF Waxahachie, TEXAS

Date: JAN 21 2021

Date: _____

By: Todd Little
Ellis County Judge, Todd Little

By: _____
Elected Official Name, Title

Attest: Kristal Valdez
By: Kristal Valdez, County Clerk

Attest: _____
By: _____



(5d)

City of ~~waxahachie~~, Texas
Mayor/ Emergency Management Director
Attn: Office of the Mayor

REQUEST FOR MUTUAL ASSISTANCE

In accordance with the Mutual Aid Agreement between the City of waxahachie, Texas and Ellis County, Texas, the County requests mutual aid for operation of a COVID-19 vaccination hub related to the COVID-19 pandemic emergency response. Ellis County understands in accordance with paragraph three of the Mutual Aid agreement, that all costs associated with this request be paid as expeditiously as possible.

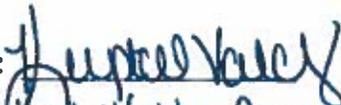
Signed,

Date:



JAN 21 2021

Ellis County Judge, Todd Little
Ellis County, Texas

Attest: 
By: Cystal Valdez, County Clerk



(6)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-177-2020

MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 26, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-177-2020, subject to staff comments.

CAPTION

Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at 7240 Interstate 35E (Property ID 186924) - Owner: 7240 I35 EAST LLC (ZDC-177-2020)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit to allow for the construction of a pole sign for USA Trucks located at 7240 Interstate 35E.

CASE INFORMATION

Applicant: Chris Reeves, Quickway Signs

Property Owner(s): 7240 I35 East LLC

Site Acreage: 29.019 acres

Current Zoning: Light Industrial – 1 (LI-1)

Requested Zoning: Light Industrial -1 with a Specific Use Permit for a Pole Sign

SUBJECT PROPERTY

General Location: 7240 Interstate 35E

Parcel ID Number(s): 186924

Existing Use: Truck Yard

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Undeveloped
East	FD	Undeveloped
South	LI-1	Undeveloped
West	LI-1	Undeveloped

(6)

Future Land Use Plan:

Industrial

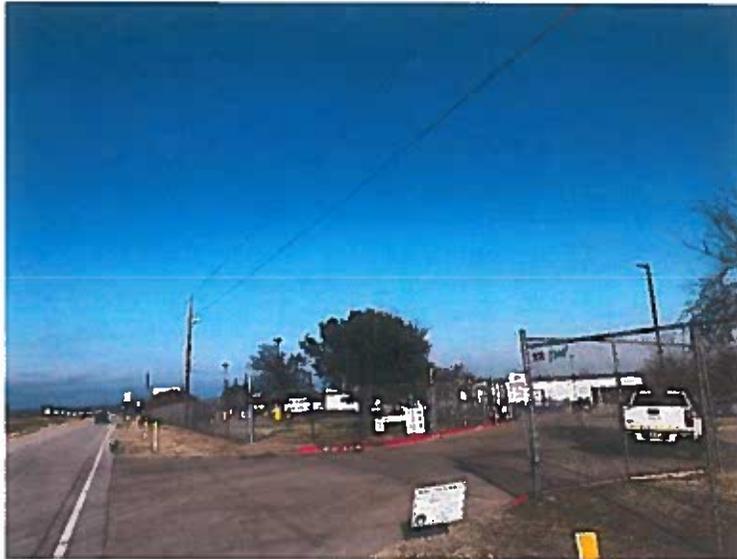
Comprehensive Plan:

Industrial applies to areas intended for a range of heavy commercial, assembly, warehousing, and manufacturing uses. Large tracts of land with easy access to major roadways and air transportation are becoming increasingly difficult to find for the industrial business community. However, these businesses can be advantageous for a municipality in terms of providing employment and an increased tax base. Therefore, several large areas have been identified as Industrial. Examples of desirable uses within these areas include company headquarters, computer technology businesses, and other types of large businesses.

Thoroughfare Plan:

This site is accessible via the I-35E access road.

Site Image:



PLANNING ANALYSIS

The applicant is requesting approval of a Specific Use Permit (SUP) to construct a new pole sign for USA Trucks located at 7240 N Interstate 35E. The proposed sign will have a height of twenty (20) feet. The proposed sign will have two (2) poles with underground concrete footing to provide support, and will be set forty-five feet (45) back from the roadway.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 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.

(6)

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. The applicant will need to obtain a sign permit from the Building and Community Services Department.

ATTACHED EXHIBITS

1. Ordinance
2. Location Map (Exhibit A)
3. Proposed Sign (Exhibit B)
4. Sign Location (Exhibit C)
5. Engineer Review

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

(6)



10815 RANCHO BERNARDO ROAD
SUITE 280, SAN DIEGO, CA 92127
PROJECTMANAGER@SULLAWAYENG.COM
PHONE: 1-858-312-5150 FAX: 1-858-777-3534

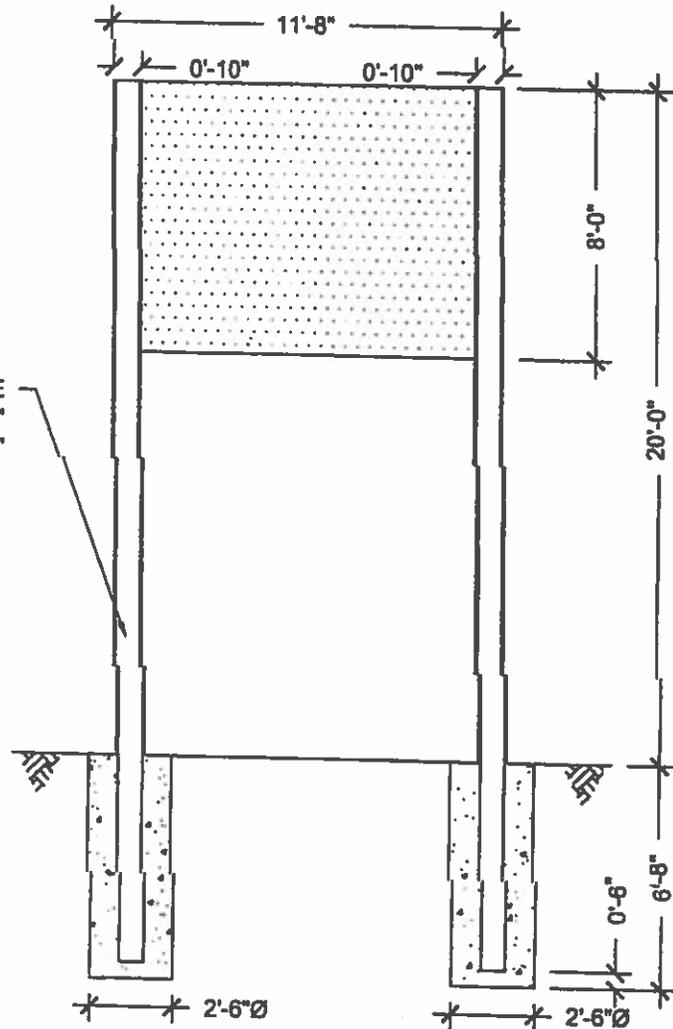
PROJECT: USA TRUCK-7240 I-35E WAXAHACHIE, TX 75165
PROJECT #: 27622
CLIENT: QUICKWAY SIGNS

DATE: 10/06/2020
ENGINEER: LR
LAST REVISED:



CERTIFICATE OF AUTHORITY
NO. F-14143
10/06/2020

8 STD. PIPE
OD: 8.625"
WALL: 0.322"



① ————— ELEVATION VIEW

GENERAL NOTES

1. DESIGN CODE: IBC 2018
2. DESIGN LOADS: ASCE 7-16
3. WIND VELOCITY: 110 MPH EXPOSURE C
4. CONCRETE 2500 PSI MIN.
5. PIPE STEEL ASTM A53, Fy= 35 KSI MIN.
6. PROVIDE PROTECTION AGAINST DISSIMILAR METALS USING ANTI-CORROSIVE PAINT OR NEOPRENE GASKETS.
7. LATERAL SOIL BEARING PER IBC CLASS 4 (150 PSF/FT)
8. ALL DIMENSIONS TO BE VERIFIED PRIOR TO FABRICATION.

(6)

SULLAWAY ENGINEERING

10815 Rancho Bernardo RD., SD, CA 92127
 projectmanager@sullawayeng.com
 Phone: 858-312-5150 Fax: 858-777-3534

PROJECT: USA TRUCK-7240 I-35E WAXAHACHIE, TX 75165

DATE: 10/08/2020

PROJ. NO.: 27622

ENGINEER: LR

CLIENT: QUICKWAY SIGNS

Applied Wind Loads; from ASCE 7-16

units; pounds, feet unless noted otherwise

$F = q_z \cdot G \cdot C_f \cdot A_f$ with $q_z = 0.00256 K_z K_d K_e V^2$ (29.3.2 & 29.4)
 $C_f = 1.705$ (Fig. 29.3-1) 2 pole Cf factor = 0.97 max. height = 20.0
 $K_d = 1.0$ (28.8.2) (=1.0 unless unusual landscape) $s = 8.00$
 $K_z =$ from table 28.3-1 Exposure = c
 $K_d = 0.85$ for signs (table 26.6-1)
 $V = 110$ mph
 $G = 0.85$ (26.9) weight = 1.133 kips
 $s/h = 0.400$ $M_{DL} = 0.00$ k-ft
 $B/s = 1.46$

Pole Loads	structure component	height at section c.g.	K_z	q_z	pressure $q_z \cdot G \cdot C_f$	A_f	shear	Wind Moment M_W	
	1	6.0	0.850	22.4	32.43	20.0	649	3893	
	2	13.5	0.850	22.4	32.43	35.0	1135	15325	
	3	17.5	0.876	23.1	33.42	58.3	1950	34122	
two pole distribution factor *b*s (asce fig. 29.4-1):							sums: 113.3	3734	53.34
							x 0.64	2395	34.21
							$P_u = 1.36$ kip		
							$M_u = \sqrt{(1.2M_{DL}^2 + 1.0M_W^2)} = 34.21$ k-ft	$M = 34.21$ k-ft	$M = \sqrt{(M_{DL}^2 + M_W^2)}$

Pole Design

section; pipe

$M_u \leq \phi M_n$ with $M_n = f_y Z$ $f_y = 35$ ksi $\phi = 0.9$

H	M_u (k-ft)	Z req'd. (in)	Size (in)	t (in)	Z	USE
at grade	34.2	13.03	8	0.322	20.8	8 STD. PIPE, $\phi M_n = 54.6$ k-ft

Footing Design

footprint: round

$\omega = 1.3$ IBC 1805.3.2 IBC Table 1806.2, sections 1806.3.4, 1807.3.2 $S = (1.3 \times 2x)$
 $P = 1.87$ kip $S1 = S \times d / 3$ $A = 2.34 \times P / (S1 \times b)$ $S = 400$
 $S1 = 884$ $d = 0.5 \times A (1 + (1 + 4.36 \times h/A)^{.5})$ IBC 1807.3.2.1
 $A = 1.98$

footing: 2' - 6" dia. 6' - 8" deep

1

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A POLE SIGN USE WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT, LOCATED 7240 N INTERSTATE 35, BEING PROPERTY ID 186924, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOCATED IN THE J.H. LAWRENCE SURVEY, ABSTRACT 633, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as LI-1; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-177-2020. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from LI-1 to LI-1, with an SUP in order to permit a Pole Sign use on the following property: J.H. Lawrence Survey, Abstract 633 (Property ID 186924), which is shown on Exhibit A, in accordance with the Proposed Sign attached as Exhibit B, and the Site Location Plan attached as Exhibit C.

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

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

PASSED, APPROVED AND ADOPTED on this 1st day of February, 2021.

(1)

MAYOR

ATTEST:

City Secretary



①

CUSTOMER INFO

JOB DESCRIPTION

Contact: Tim Elmore
Company: USA Truck
Phone #: 479-430-1204
Email: Tim.Elmore@Usa-Truck.com



Date: September 16th, 2020

Due Date : NA

PRICE



Exhibit B - Proposed Sign —

PLEASE PROOF READ CAREFULLY. AFTER APPROVAL, QUICKWAY SIGNS WILL NOT BE FINANCIALLY RESPONSIBLE FOR ERRORS ON PROOF.

- I have verified the artwork.
 - I have verified the colors.
 - I have verified the text and spelling.
 - I have verified the layout.
 - I have read and agree to all disclaimers.
-
- Approved. No Changes Required
 - Please make the noted changes

E-MAILED
10/13
permit



306 W. Main St.
Waxahachie, TX 75165
972-937-7446

o@quickwa. gnstx.com

Signature

ite



S Interstate 35 East

Sign Location will be setback 45-feet from roadway

45.59 ft

Interstate 35 East Service Rd

Exhibit C - Sign Location

(8)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-181-2020

MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 26, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-181-2020, subject to staff comments.

CAPTION

Public Hearing on a request by Kellen Robertson, RLG Consulting Engineers, for a Zoning Change from a Planned Development-Commercial zoning district to Planned Development-Commercial, located at 2460 Interstate 35E (Property ID 261917) - Owner: BAYLOR SCOTT & WHITE PROFESSIONAL PLAZA I (ZDC-181-2020)

APPLICANT REQUEST

Due to TxDOT widening Interstate 35E, the applicant is requesting to amend the existing Planned Development (Ord. 2649) in order to move the current billboard approximately eight (8) feet east of its present location.

CASE INFORMATION

Applicant: Kellen Robertson, RLG Consulting Engineers

Property Owner(s): Baylor Scott & White Professional Plaza I

Site Acreage: 5.261 acres

Current Zoning: Planned Development - Commercial (PD-C)

Requested Zoning: Amendment to PD-C to allow pole sign relocation

SUBJECT PROPERTY

General Location: 2460 N Interstate 35

Parcel ID Number(s): 261917

Existing Use: Medical Office

(8)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	HI	Undeveloped
East	PD-C	Medical Office
South	PD-C	Medical Office
West	C	Auto Dealership

Future Land Use Plan:

Medical District

Comprehensive Plan:

The Medical District area signifies an area that revolves solely around the medical industry. This area will provide all of the uses one would need when visiting or working at Baylor Scott & White and other medical offices, specialty healthcare facilities, or research and development locations that are anticipated to develop in the area. Therefore, appropriate businesses in the district include retail, dining, hotel, office buildings, multi-family housing, and gyms.

Thoroughfare Plan:

This site is accessible via the I-35E Access Rd.

Site Image:



PLANNING ANALYSIS

The purpose of this request is to move the existing billboard approximately eight (8) feet to the east of its present location. TxDOT will be widening the road in this area and the sign, in its current location, will encroach on TxDOT's Right-of-Way (ROW) easement. This move will ensure that the sign is outside of TxDOT's easement.

The amendment to the PD is necessary because the existing billboard location was approved as part of the site plan of the existing Planned Development (PD) Ordinance 2649. Therefore the PD will need to be amended to allow for the updated location of the billboard.

(8)

Sign Details

This new location will feature the same billboard that is currently in place. The existing sign face is 12' x 40'. The overall height of the sign will be approximately 50' above the finished grade.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 3 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. A sign permit will need to be obtained from the Building and Community Services Department.

ATTACHED EXHIBITS

1. Ordinance
2. Exhibit A - Location Map
3. Exhibit B - Detailed Site 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:
 Chris Webb
 Planner
cwebb@waxahachie.com

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

(9)

ORDINANCE NO. _____

AN AMENDMENT TO ORDINANCE 2649 AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-COMMERCIAL (PD-C) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C), WITH AMENDED ORDINANCE, TO ALLOW THE RELOCATION OF A BILLBOARD, LOCATED AT 2460 N INTERSTATE 35, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 5.261 ACRES KNOWN AS A PORTION OF PROPERTY ID 261917 OF BAYLOR WAXAHACHIE HOSPITAL SUBDIVISION, 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 has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-181-2020. 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-C to PD-C, with Amended 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 zoning amendment;

NOW, THEREFORE, this property is rezoned from PD-C to PD-C, with Amended Ordinance in order to amend Ordinance 2649 to allow for the relocation of a billboard on the following property: a portion of Property ID 261917 of the Waxahachie Hospital subdivision, which is shown on Exhibit A, with accompanying Detailed Site Plan, Exhibit B.

PLANNED DEVELOPMENT

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 Ordinance 2649 with the exception of the following:

1. The location of the billboard.

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.

(9)

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

PASSED, APPROVED, AND ADOPTED on this 1st day of February, 2021.

MAYOR

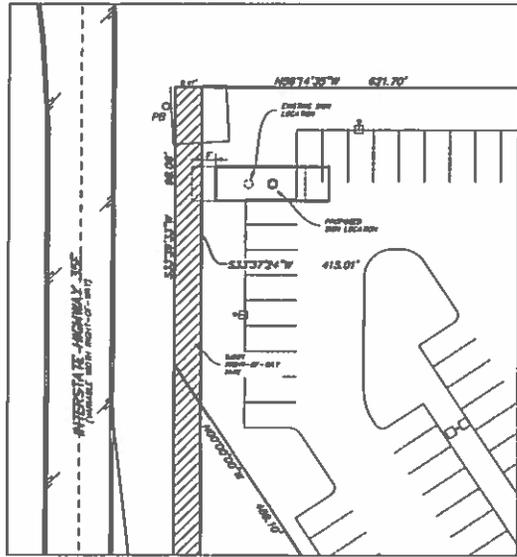
ATTEST:

City Secretary



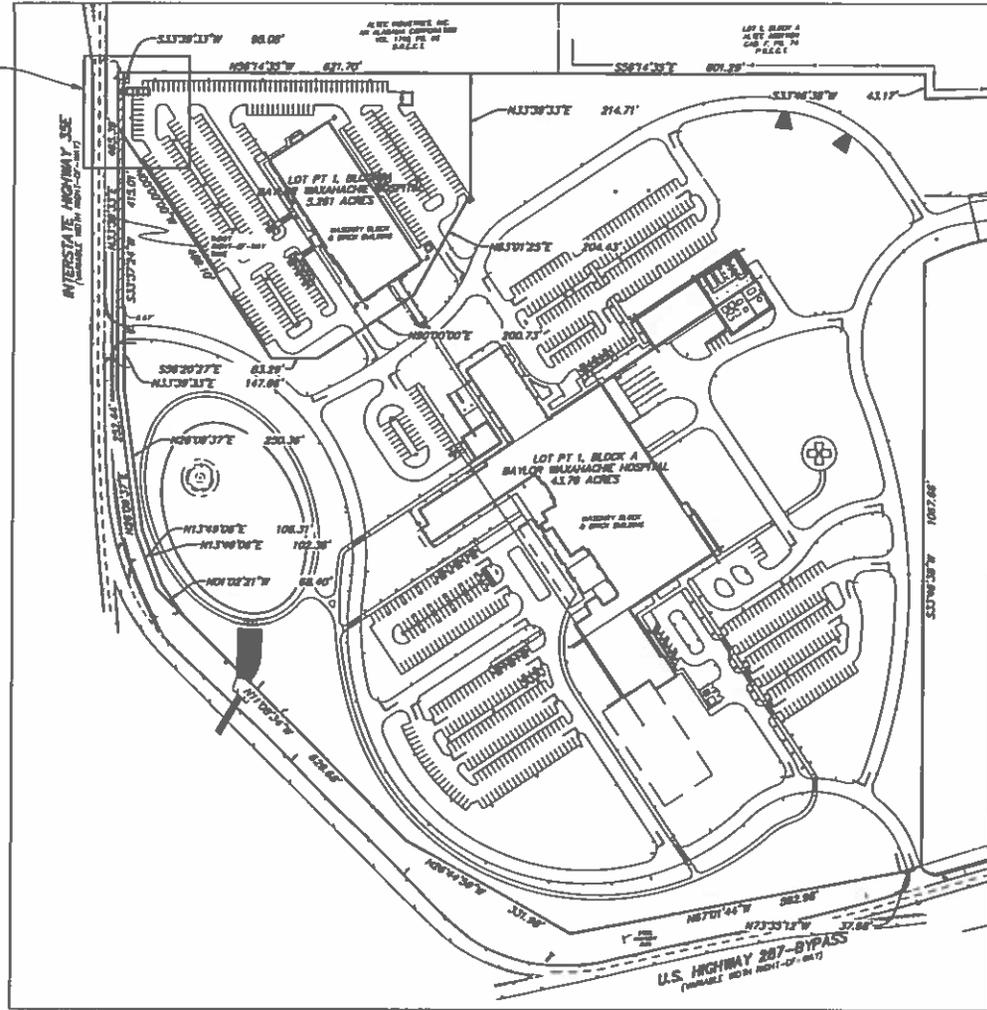
Exhibit A - Location Map

(6)



DETAIL A
1"=20'

SEE
"DETAIL A"



(b)

Exhibit B - Detailed Site Plan

 RLG CONSULTING ENGINEERS <small>13071 H. CENTRAL EXPRESSWAY #700 DALLAS, TX 75243 WWW.RLGCE.COM TIME: 9:00 AM - 5:00 PM</small>				
EXHIBIT A				
SITE PLAN				
BAYLOR SCOTT & WHITE				
CITY OF WAXAHACHE				
ELLIS COUNTY, TEXAS				
REVIEW	DRAWN	DATE	FILE NUMBER	SHEET
RLG	RLG	12/10/2010	2013 082	1 OF 1

(10)

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-180-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 26, 2021, the Commission voted 6-0 to recommend approval of case number ZDC-180-2020, as presented.

CAPTION

Public Hearing on a request by Ben Talley, LJA Engineering, for an Amendment to Ordinance No. 2302 for Saddlebrook Estates to increase the Maximum Lot Coverage from 35% to 50% by main building and accessory structures in the remaining South Tract and Central Tract West (ZDC-180-2020)

APPLICANT REQUEST

The applicant intends to amend Ordinance 2302 to increase the maximum lot coverage from 35% to 50% in the Villages of Mustang Creek for Saddlebrook Estates.

CASE INFORMATION

Applicant: Kevin Kessler, LJA Engineering

Property Owner(s): 287 Waxahachie LP

Site Acreage: 472.56 acres

Current Zoning: Planned Development

Requested Zoning: Planned Development (Ordinance 2302 Amendment)

SUBJECT PROPERTY

General Location: Northwest & Southeast of the intersection of Pimlico Dr. and Highway 287

Existing Use: Villages of Mustang Creek

Development History: On April 18, 2005, City Council approved Ordinance 2302 for the Villages of Mustang Creek.

(10)

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-SF1	Single Family Residences
East	PD	Saddlebrook Estates
South	---	S. US Highway 287 Bypass
West	PD-SF1	Single Family Residences

Future Land Use Plan: Low Density Residential

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

Thoroughfare Plan: The subject property is accessible via S. US Highway 287 Bypass.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant intends to amend Ordinance 2302 to increase the maximum lot coverage from 35% to 50% in the Villages of Mustang Creek for Saddlebrook Estates.

Proposed Use:

The applicant is requesting to increase the maximum lot coverage from thirty-five (35) percent to fifty (50) percent in the Saddlebrook Estates remaining South Tract and Central Tract West, as shown on the Location Layout Exhibit. The builder would like to propose a larger footprint for the first floor of the houses, other than what the current thirty-five (35) percent maximum lot coverage will allow. By increasing the maximum allowed lot coverage, it will allow the ability to provide a plan lineup with larger square footage homes.

(10)

If City Council chooses to approve the increase in lot coverage, the revised Ordinance will still be in compliance with the Single Family-1, Single Family-2, and Single Family-3 zoning districts per the City of Waxahachie Zoning Ordinance.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **176** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Ordinance
2. Location Exhibit
3. Ordinance 2302
4. Location Layout Exhibit

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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

(10)

ORDINANCE NO. 2302

AN ORDINANCE CHANGING THE ZONING ON 1,965.303 ACRES IN THE S.M. DURRETT SURVEY, LOCATED EAST OF HIGHWAY 287 AND NORTH AND SOUTH OF PARKS SCHOOL HOUSE ROAD, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, FROM FUTURE DEVELOPMENT (FD) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C), PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR), PLANNED DEVELOPMENT-MULTI FAMILY-1 (PD-MF-1), PLANNED DEVELOPMENT-TWO FAMILY (PD-2F), PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF-1), PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2), AND PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), AS A "FREE STANDING" PD DISTRICT, AND BEING FURTHER DESCRIBED ON EXHIBIT "A," 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 Future Development (FD) to Planned Development -Commercial (PD-C), Planned Development-General Retail (PD-GR), Planned Development-Multi Family -1 (PD-MF-1), Planned Development-Two Family (PD-2F), Planned Development-Single Family-1 (PD-SF-1), Planned Development-Single Family-2 (PD-SF-2), and Planned Development-Single Family-3 (SF-3) under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinances; 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 Future Development (FD) to Planned Development -Commercial (PD-C), Planned Development-General Retail (PD-GR), Planned Development-Multi Family -1 (PD-MF-1), Planned Development-Two Family (PD-2F), Planned Development-Single Family-1 (PD-SF-1), Planned Development-Single Family-2 (PD-SF-2), and Planned Development-Single Family-3 (SF-3) 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:

This ordinance changing the zoning is effective only upon passage of a PID district.

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 fully.

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 attached hereto of 35 pages, plus two cover pages, and are on the 1965.303 acre tract described in pages 6 through 11 of the exhibit.

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

(10)

PASSED, APPROVED AND ADOPTED on this 18th day of April, 2005.



Joe Lonbini
MAYOR

Nancy Ross
City Secretary

(10)

Villages
of
Mustang Creek

A 1,965 Acre
Planned Development
District

In the City of Waxahachie, Texas

January, 2005
Revised 1/10/05
Revised 1/31/05
Revised 3/15/05

(10)

Villages of Mustang Creek

Table of Contents

Owner Information

Development Concept

Zoning Concept

Project Location

Legal Description

Concept Plan

Subject Property

Land Uses

Development Regulations

Summary of Enhanced Regulations

Summary of Residential Zoning Regulations

Images

(10)

Villages of Mustang Creek

Owner Information

Mehrdad Moayedi
Ellis County CTR Development
3901 Airport Freeway, Suite 200
Bedford, TX 76021
817-391-2500

Applicant Information

Ross Calhoun
Centurian American
3901 Airport Freeway, Suite 200
Bedford, TX 76021
817-391-2500

Engineers / Planners

Carter & Burgess, Inc.
7950 Elmbrook Drive, Suite 200
Dallas, TX 75247
214-638-0145

(10)

Villages of Mustang Creek

The Development Concept

Villages of Mustang Creek is a planned development on 1,965 acres in southeast Waxahachie that will become the premier new development in the area. On land that is now farm and ranch land, a new community will emerge to house the families that will make Waxahachie a great place to live now and into the future.

The master-planned development will feature highway oriented commercial development along Highway 287, a primary thoroughfare connecting Waxahachie to neighboring cities. At the heart of the development will be a community oriented shopping district located at the intersection of two proposed thoroughfares. Surrounding this active core, *Villages of Mustang Creek* will feature distinctive, walkable residential neighborhoods designed around schools, recreation facilities, parks and trail corridors. Each neighborhood will feature a variety of housing types, styles and price points.

The primary entrance to the proposed development will be from Highway 287 at the proposed east-west thoroughfare extending to and beyond Mustang Creek at the eastern edge of the development. This portal to *Villages of Mustang Creek* will feature an intensely developed node of activity and higher density residences that are necessary to achieve the balance and diversity of families that are required to complete a true community of interests.

Handsomely designed and crafted entries to each neighborhood will announce to residents that they are home ... home in a community that has all that is needed for an enhanced quality of neighborhood life – schools, parks, hike and bike trails, natural areas, convenient shopping and easy access to the core of old Waxahachie and the world beyond. Quality and craftsmanship will be reflected throughout the public realm – lushly landscaped thoroughfares, tree-lined streets, gem-like parks that are within easy walking distance from each and every home, quality neighborhood schools are anchor the community and natural areas along the creeks and around the ponds that are found throughout the property.

The proposed development will result in communities that are safe for children to navigate – tree-lined streets will calm traffic, schools and parks will be in close proximity and shopping will be conveniently located at the heart of the development. *Villages of Mustang Creek* will also be a place where a family can grow and find housing that meets the needs of each of its stages. From the rental apartment as a new couple, to the first ownership opportunity in a duplex, to a starter single-family house with the birth of their first child, to a bigger home on a bigger lot when the family expands, to a trophy home on Mustang Creek when the family's ship comes in, and back down to less maintenance when the family returns to just the nuclear couple, *Villages of Mustang Creek* will be a community where all types of housing are available for all types of families.

A Home Owner's Association will provide guidelines and review all development within the community, while maintaining the amenities and common areas that make up the fabric of community life.

***Villages of Mustang Creek* will set a new standard for development in Waxahachie!**

(10)

Villages of Mustang Creek

The Zoning Concept

The proposed zoning of *Villages of Mustang Creek* is within a framework of a Planned Development District. The Planned Development District is further divided into four sub-districts: south, central, north and east – primarily utilizing the City's proposed thoroughfare system as the internal boundaries of each sub-district.

Non-Residential Zone Districts

Highway-oriented zone districts, comprising 143 acres, are arranged along Highway 287, which represents the west and southwest boundaries of the Planned Development District. The Waxahachie Commercial (C) and General Retail (GR) zone districts are the base standard for use and building regulations, but a significant number of standard uses are struck from the list of Commercial allowed uses. In addition, a number of enhanced development regulations are provided.

At the heart of the District, are two community-oriented retail zone districts, comprising 35 acres, at the intersection of two proposed thoroughfares, utilizing the City's General Retail (GR) zone district criteria.

These non-residential areas represent 9 percent of the total proposed development, a factor that is consistent with city planning principles. These areas, when developed, will provide enhanced tax base for the City of Waxahachie.

Residential Zone Districts

Located near the primary entry to the *Villages of Mustang Creek* development at the intersection of Highway 287 and a proposed east-west thoroughfare are higher density residential districts: two multi-family residential zone districts, comprising 43 acres, and two duplex residential zone districts, comprising 30 acres. Collectively, these districts represent 4 percent of the total land area, a factor that is consistent with the sound planning principles and City of Waxahachie guidelines.

The balance of the property, 87 percent of all of the lands, will be developed as low density residential neighborhoods. A maximum number of 4,792 residences may be constructed on the 1,714 acres of the District that are zoned for single family residential uses. That is an overall density of 2.8 residences per acre.

Each of the four sub-districts also has a maximum number of residences that may be constructed, with overall densities varying from 1.9 to 3.2 residences per acre. Within each district at least two of three proposed residential zoning categories are provided. The three proposed single family residential zone districts correspond to the City's three primary residential zone districts, except that many individual zoning criteria have been enhanced.

For the District as a whole, the proposed distribution of single-family residences meets the guidelines of the City's Comprehensive plan:

- 15 percent large lots (greater than 12,500 square feet)
- 55 percent medium lots (between 8,000 square feet and 12,500 square feet)
- 30 percent smaller lots (between 6,600 square feet and 8,000 square feet)

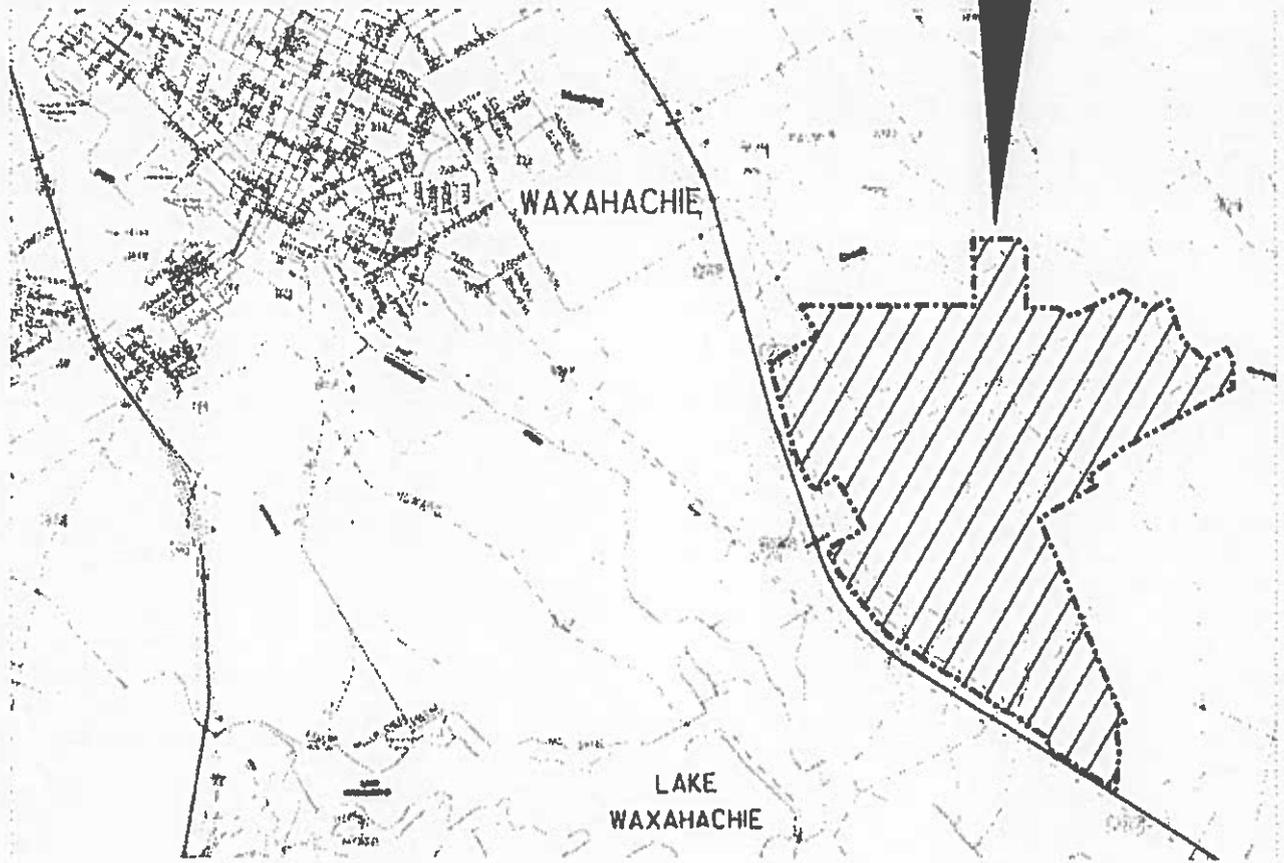
(10)

Villages of Mustang Creek

Vicinity Map

(10)

**PROJECT
LOCATION**



VICINITY MAP

Carter Burgess

DECEMBER 15, 2004

VILLAGES OF MUSTANG CREEK

City of Waxahachie, Texas

(10)

Villages of Mustang Creek

ZONING DESCRIPTION 1965.303 ACRES

BEING A 1965.303 ACRE TRACT OF LAND SITUATED IN THE C. BEDWELL SURVEY, ABSTRACT NO. 94, R.M. BERRY SURVEY, ABSTRACT NO. 96, R.M. BERRY SURVEY, ABSTRACT NO. 97, G. CARPENTER SURVEY, ABSTRACT NO. 190, W.C. COLEMAN SURVEY, ABSTRACT NO. 204, B. COLLIER SURVEY, ABSTRACT NO. 216, S.M. DURRITT SURVEY, ABSTRACT NO. 272, G. GARCIA SURVEY, ABSTRACT NO. 418, T. HAVENS SURVEY, ABSTRACT NO. 492, J. JOHNSON SURVEY, ABSTRACT NO. 557, W.H. JAMES SURVEY, ABSTRACT NO. 562, McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 750 AND M. RAFFERTY SURVEY, ABSTRACT NO. 898, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 956.759 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 533, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 166.081 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 525, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 96.170 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1043, PAGE 371, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 87.450 ACRE TRACT OF LAND, CONVEYED TO GREG LOFTIS BY DEED RECORDED IN VOLUME 1061, PAGE 145, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING PART OF A TRACT OF LAND, CONVEYED TO ELLIS COUNTY LIVESTOCK, INC. BY DEED RECORDED IN VOLUME 758, PAGE 207, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 75.616 ACRE TRACT OF LAND, CONVEYED TO GREG LOFTIS BY DEED RECORDED IN VOLUME 1061, PAGE 145, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 120.358 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 525, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING ALL OF A CALLED 196.971 ACRE TRACT OF LAND, CONVEYED TO ELLIS COUNTY CTR DEVELOPMENT, LTD. BY DEED RECORDED IN VOLUME 1985, PAGE 1495, DEED RECORDS, ELLIS COUNTY, TEXAS, BEING PART OF A CALLED 208.763 ACRE TRACT OF LAND, CONVEYED TO ENNIS AUCTION COMPANY, INC. BY DEED RECORDED IN VOLUME 1047, PAGE 525, DEED RECORDS, ELLIS COUNTY, TEXAS. SAID 1965.303 ACRE TRACT, HAVING A BEARING BASIS OF GRID NORTH, STATE PLANE COORDINATES, TEXAS NORTH CENTRAL ZONE, NAD 83 DATUM (CORS), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF AFORESAID 956.759 ACRE TRACT;

(10)

Villages of Mustang Creek

THENCE NORTH 88 DEGREES 56 MINUTES 16 SECONDS EAST, ALONG A NORTH LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 4630.85 FEET TO A POINT FOR CORNER;

THENCE NORTH 01 DEGREES 35 MINUTES 54 SECONDS WEST, ALONG A WEST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 1762.77 FEET TO A POINT FOR CORNER;

THENCE NORTH 89 DEGREES 19 MINUTES 47 SECONDS EAST, ALONG A NORTH LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 1193.70 FEET TO A POINT FOR CORNER;

THENCE SOUTH 40 DEGREES 28 MINUTES 00 SECONDS EAST, ALONG A EAST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 329.15 FEET TO A POINT FOR CORNER;

THENCE SOUTH 01 DEGREES 03 MINUTES 50 SECONDS EAST, ALONG A EAST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 1561.46 FEET TO A POINT FOR CORNER;

THENCE ALONG A NORTH LINE OF AFORESAID 956.759 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

NORTH 88 DEGREES 52 MINUTES 47 SECONDS EAST, A DISTANCE OF 849.09 FEET TO A POINT FOR CORNER;

SOUTH 60 DEGREES 17 MINUTES 43 SECONDS EAST, A DISTANCE OF 435.54 FEET TO A POINT FOR CORNER;

NORTH 62 DEGREES 17 MINUTES 11 SECONDS EAST, A DISTANCE OF 1518.41 FEET TO A POINT FOR CORNER;

SOUTH 57 DEGREES 39 MINUTES 13 SECONDS EAST, A DISTANCE OF 894.53 FEET TO A POINT FOR CORNER;

NORTH 59 DEGREES 31 MINUTES 44 SECONDS EAST, A DISTANCE OF 525.22 FEET TO A POINT FOR CORNER;

THENCE ALONG A EAST LINE OF AFORESAID 956.759 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 20 DEGREES 32 MINUTES 39 SECONDS EAST, A DISTANCE OF 1124.36 FEET TO A POINT FOR CORNER;

SOUTH 49 DEGREES 42 MINUTES 53 SECONDS EAST, A DISTANCE OF 815.43 FEET TO A POINT FOR CORNER;

(10)

Villages of Mustang Creek

NORTH 59 DEGREES 01 MINUTES 39 SECONDS EAST, A DISTANCE OF 656.24 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 41 MINUTES 03 SECONDS EAST, A DISTANCE OF 330.87 FEET TO A POINT FOR CORNER;

SOUTH 01 DEGREES 17 MINUTES 41 SECONDS EAST, A DISTANCE OF 449.93 FEET TO A POINT FOR CORNER;

SOUTH 00 DEGREES 34 MINUTES 53 SECONDS EAST, A DISTANCE OF 329.11 FEET TO THE EAST CORNER OF AFORESAID 956.759 ACRE TRACT;

THENCE ALONG THE SOUTH LINE OF AFORESAID 956.759 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 60 DEGREES 05 MINUTES 45 SECONDS WEST, A DISTANCE OF 1996.26 FEET TO A POINT FOR CORNER;

SOUTH 59 DEGREES 59 MINUTES 15 SECONDS WEST, A DISTANCE OF 1287.20 FEET TO A POINT FOR CORNER;

SOUTH 49 DEGREES 31 MINUTES 18 SECONDS WEST, A DISTANCE OF 1288.90 FEET TO A POINT FOR CORNER;

SOUTH 47 DEGREES 40 MINUTES 43 SECONDS EAST, A DISTANCE OF 313.75 FEET TO A POINT FOR CORNER;

SOUTH 59 DEGREES 09 MINUTES 11 SECONDS WEST, A DISTANCE OF 46.40 FEET TO A POINT FOR CORNER;

SOUTH 58 DEGREES 58 MINUTES 21 SECONDS WEST, A DISTANCE OF 1721.09 FEET TO THE NORTH CORNER OF AFORESAID 96.170 ACRE TRACT;

THENCE SOUTH 24 DEGREES 19 MINUTES 22 SECONDS EAST, ALONG THE EAST LINE OF AFORESAID 96.170 ACRE TRACT, A DISTANCE OF 1752.77 FEET TO THE EAST CORNER OF SAID 96.170 ACRE TRACT AND THE NORTH CORNER OF AFORESAID 87.450 ACRE TRACT;

THENCE SOUTH 22 DEGREES 39 MINUTES 36 SECONDS EAST, ALONG THE EAST LINE OF AFORESAID 87.450 ACRE TRACT, A DISTANCE OF 1583.45 FEET TO THE EAST CORNER OF SAID 87.450 ACRE TRACT AND THE NORTH CORNER OF AFORESAID ELLIS COUNTY LIVESTOCK, INC. TRACT;

(10)

Villages of Mustang Creek

THENCE ALONG THE EAST LINE OF AFORESAID ELLIS COUNTY LIVESTOCK, INC. TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 22 DEGREES 43 MINUTES 40 SECONDS EAST, A DISTANCE OF 663.62 FEET TO A POINT FOR CORNER;

SOUTH 23 DEGREES 51 MINUTES 01 SECONDS EAST, A DISTANCE OF 1918.49 FEET TO A POINT FOR CORNER;

THENCE SOUTH 74 DEGREES 23 MINUTES 36 SECONDS WEST, OVER AND ACROSS AFORESAID ELLIS COUNTY LIVESTOCK, INC TRACT, A DISTANCE OF 247.58 FEET TO THE EAST CORNER OF AFORESAID 75.616 ACRE TRACT;

THENCE ALONG THE EAST LINE OF AFORESAID 75.616 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 08 DEGREES 01 MINUTES 17 SECONDS EAST, A DISTANCE OF 689.60 FEET TO A POINT FOR CORNER;

SOUTH 04 DEGREES 24 MINUTES 42 SECONDS WEST, A DISTANCE OF 1047.76 FEET TO THE SOUTHEAST CORNER OF AFORESAID 75.616 ACRE TRACT AND BEING ON THE NORTHEAST RIGHT-OF-WAY OF U.S. HIGHWAY 287 (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF AFORESAID U.S. HIGHWAY 287 AND THE COMMON SOUTHWEST LINES OF AFORESAID 75.616 ACRE TRACT, 87.450 ACRE TRACT, 120.358 ACRE TRACT, AND 196.971 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

NORTH 58 DEGREES 23 MINUTES 26 SECONDS WEST, A DISTANCE OF 15.24 FEET TO A POINT FOR CORNER;

NORTH 61 DEGREES 15 MINUTES 11 SECONDS WEST, A DISTANCE OF 400.50 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 23 MINUTES 26 SECONDS WEST, A DISTANCE OF 1698.10 FEET TO A POINT FOR CORNER;

NORTH 00 DEGREES 26 MINUTES 16 SECONDS WEST, A DISTANCE OF 279.09 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 25 MINUTES 41 SECONDS WEST, A DISTANCE OF 756.93 FEET TO A POINT FOR CORNER;

NORTH 44 DEGREES 19 MINUTES 42 SECONDS WEST, A DISTANCE OF 103.19 FEET TO A POINT FOR CORNER;

(10)

Villages of Mustang Creek

NORTH 58 DEGREES 23 MINUTES 09 SECONDS WEST, A DISTANCE OF 300.13 FEET TO A POINT FOR CORNER;

NORTH 72 DEGREES 35 MINUTES 27 SECONDS WEST, A DISTANCE OF 102.79 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 24 MINUTES 44 SECONDS WEST, A DISTANCE OF 1398.16 FEET TO A POINT FOR CORNER;

NORTH 39 DEGREES 48 MINUTES 54 SECONDS WEST, A DISTANCE OF 106.71 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 17 MINUTES 27 SECONDS WEST, A DISTANCE OF 299.32 FEET TO A POINT FOR CORNER;

NORTH 77 DEGREES 09 MINUTES 31 SECONDS WEST, A DISTANCE OF 106.27 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 29 MINUTES 18 SECONDS WEST, A DISTANCE OF 751.60 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 15 MINUTES 31 SECONDS WEST, A DISTANCE OF 548.42 FEET TO A POINT FOR CORNER;

NORTH 39 DEGREES 03 MINUTES 02 SECONDS WEST, A DISTANCE OF 105.15 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 31 MINUTES 08 SECONDS WEST, A DISTANCE OF 199.27 FEET TO A POINT FOR CORNER;

NORTH 77 DEGREES 21 MINUTES 47 SECONDS WEST, A DISTANCE OF 106.45 FEET TO A POINT FOR CORNER;

NORTH 48 DEGREES 44 MINUTES 14 SECONDS WEST, A DISTANCE OF 482.75 FEET TO A POINT FOR CORNER;

NORTH 38 DEGREES 38 MINUTES 24 SECONDS WEST, A DISTANCE OF 1846.63 FEET TO A POINT FOR CORNER;

NORTH 27 DEGREES 01 MINUTES 24 SECONDS WEST, A DISTANCE OF 551.72 FEET TO A POINT FOR CORNER;

NORTH 15 DEGREES 20 MINUTES 42 SECONDS WEST, A DISTANCE OF 146.48 FEET TO THE WEST CORNER OF AFORESAID 196.971 ACRE TRACT;

(10)

Villages of Mustang Creek

THENCE NORTH 58 DEGREES 50 MINUTES 18 SECONDS EAST, ALONG THE NORTHWEST LINE OF AFORESAID 196.971 ACRE TRACT, A DISTANCE OF 1110.80 FEET TO THE SOUTH CORNER OF AFORESAID 208.763 ACRE TRACT;

THENCE NORTH 30 DEGREES 04 MINUTES 07 SECONDS WEST, ALONG A SOUTHWEST LINE OF AFORESAID 208.763 ACRE TRACT, A DISTANCE OF 1529.85 FEET TO THE INSIDE ELL CORNER OF SAID 208.763 ACRE TRACT;

THENCE SOUTH 59 DEGREES 54 MINUTES 53 SECONDS WEST, A DISTANCE OF 640.88 FEET TO A WEST CORNER OF AFORESAID 208.763 ACRE TRACT AND ON THE EAST LINE OF AFORESAID U.S. HIGHWAY 287;

THENCE ALONG THE WEST LINE OF AFORESAID 208.763 ACRE TRACT AND THE COMMON EAST RIGHT-OF-WAY OF AFORESAID U.S. HIGHWAY 287 THE FOLLOWING COURSES AND DISTANCES:

NORTH 26 DEGREES 36 MINUTES 51 SECONDS WEST, A DISTANCE OF 71.48 FEET TO A POINT FOR CORNER;

NORTH 81 DEGREES 47 MINUTES 50 SECONDS WEST, A DISTANCE OF 69.97 FEET TO A POINT FOR CORNER;

NORTH 30 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 694.24 FEET TO A POINT FOR CORNER;

NORTH 23 DEGREES 12 MINUTES 25 SECONDS WEST, A DISTANCE OF 390.34 FEET TO A POINT FOR CORNER;

NORTH 15 DEGREES 50 MINUTES 53 SECONDS WEST, A DISTANCE OF 1000.41 FEET TO A POINT FOR CORNER;

NORTH 17 DEGREES 40 MINUTES 00 SECONDS WEST, A DISTANCE OF 499.95 FEET TO A POINT FOR CORNER;

NORTH 15 DEGREES 19 MINUTES 41 SECONDS WEST, A DISTANCE OF 929.05 FEET TO THE WEST CORNER OF AFORESAID 208.763 ACRE TRACT;

THENCE NORTH 59 DEGREES 24 MINUTES 03 SECONDS EAST, ALONG THE NORTHWEST LINE OF AFORESAID 208.763 ACRE TRACT A DISTANCE OF 1476.25 FEET TO THE NORTH CORNER OF SAID 208.763 ACRE TRACT AND BEING ON A SOUTHWEST LINE OF AFORESAID 956.759 ACRE TRACT;

(10)

Villages of Mustang Creek

THENCE NORTH 31 DEGREES 24 MINUTES 42 SECONDS WEST, ALONG A SOUTHWEST LINE OF AFORESAID 956.759 ACRE TRACT, A DISTANCE OF 902.95 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1965.303 ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

(10)

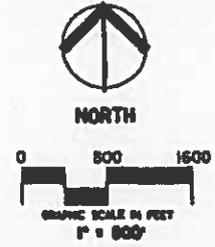
Villages of Mustang Creek

Concept Plan

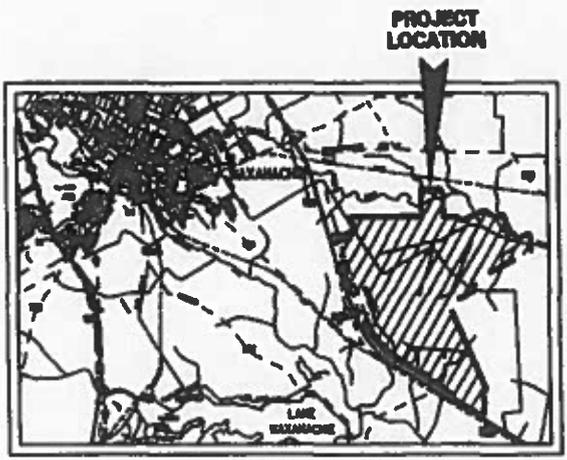
(10)

APPROXIMATE AREA BY SUB-DISTRICT	
SUB-DISTRICT	APPROXIMATE AREA (ACRES)
SOUTH	308
CENTRAL	300
NORTH	367
EAST	300
TOTAL	1265

APPROXIMATE AREA BY LAND USE CLASSIFICATION	
LAND USE CLASSIFICATION	LAND AREA (ACRES)
COMMERCIAL IC & OI	176
MULTI-FAMILY RESIDENTIAL (MF-1 & 3F)	73
SINGLE FAMILY RESIDENTIAL (SF-1, 2 & 3)	1,314
TOTAL	1,563



APPROXIMATE LAND USE AREA BY SUB-DISTRICT				
LAND USE CLASSIFICATION	SOUTH (ACRES)	CENTRAL (ACRES)	NORTH (ACRES)	EAST (ACRES)
COMMERCIAL IC & OI	97	43	30	0
MULTI-FAMILY RESIDENTIAL (MF-1 & 3F)	0	34	30	0
SINGLE FAMILY RESIDENTIAL (SF-1, 2 & 3)	406	431	400	300
TOTAL	503	508	367	300



VICINITY MAP
N.T.S.

WARRANT NUMBER OF SINGLE FAMILY RESIDENTIAL LOTS BY SUB-DISTRICT			
SUB-DISTRICT	WARRANT NUMBER OF LOTS	GROSS AREA OF SINGLE FAMILY RESIDENTIAL USE (ACRES)	GROSS DENSITY LOTS PER ACRE
NORTH	1,431	400	3.58
CENTRAL	1,300	431	3.00
SOUTH	1,330	406	3.04
EAST	70	300	1.04
TOTAL	4,731	1,537	3.08

LEGEND

- POCKET PARK (SMALL)
- PARK CENTER (LARGE)
- SCHOOL SITE
- OPEN SPACE IMPROVEMENTS
- POND IMPROVEMENTS
- TRAIL
- NORTH, SOUTH, EAST, CENTRAL DIVIDE LINE

SINGLE FAMILY LOT DISTRIBUTION BY SUB-DISTRICT & ZONE CLASSIFICATION		
RESIDENTIAL ZONE CLASSIFICATION COMMON LOT AREAS	LOT COUNT THRESHOLDS	PERCENT OF LOTS
NORTH SUB-DISTRICT		
SF-1 (CLASS 20, FL)	MINIMUM OF 153	MINIMUM OF 43
SF-2 (CLASS 20, FL)	MINIMUM OF 300	MINIMUM OF 200
SF-3 (CLASS 20, FL)	MINIMUM OF 400	MINIMUM OF 300
TOTAL	MINIMUM OF 1,431	
CENTRAL SUB-DISTRICT		
SF-1 (CLASS 20, FL)	MINIMUM OF 300	MINIMUM OF 300
SF-2 (CLASS 20, FL)	MINIMUM OF 300	MINIMUM OF 400
TOTAL	MINIMUM OF 1,300	
SOUTH SUB-DISTRICT		
SF-1 (CLASS 20, FL)	MINIMUM OF 150	MINIMUM OF 40
SF-2 (CLASS 20, FL)	MINIMUM OF 300	MINIMUM OF 300
SF-3 (CLASS 20, FL)	MINIMUM OF 400	MINIMUM OF 300
TOTAL	MINIMUM OF 1,330	
EAST SUB-DISTRICT		
SF-1 (CLASS 20, FL)	MINIMUM OF 200	MINIMUM OF 200
SF-2 (CLASS 20, FL)	MINIMUM OF 200	MINIMUM OF 300
TOTAL	MINIMUM OF 70	
TOTAL - ALL SUB-DISTRICTS		
SF-1 (CLASS 20, FL)	MINIMUM OF 700	MINIMUM OF 300
SF-2 (CLASS 20, FL)	MINIMUM OF 800	MINIMUM OF 300
SF-3 (CLASS 20, FL)	MINIMUM OF 1,400	MINIMUM OF 300
TOTAL	MINIMUM OF 4,731	600

CONCEPT PLAN VILLAGES OF MUSTANG CREEK

CITY OF WAXAHACHIE

Carter-Burgess
Consultants in Planning, Engineering, Architecture,
Construction Management and Related Services

CARTER & BURGESS, INC.
7700 BARBROOK DRIVE, SUITE 200
DALLAS, TX 75241-4900
PHONE (214) 639-0400
FAX (214) 639-0447

January 2005

(10)

Villages of Mustang Creek

Section 1. Subject Property.

1.1 Total Area.

The area within this Planned Development District is approximately 1,965.3 acres of land within the C. Bedwell Survey, Abstract No. 94, R.M. Berry Survey, Abstract No. 96, R.M. Berry Survey, Abstract No. 97, G. Carpenter Survey, Abstract No. 190, W.C. Coleman Survey, Abstract No. 204, B. Collier Survey, Abstract No. 216, S.M. Durritt Survey, Abstract No. 272, G. Garcia Survey, Abstract No. 418, T. Havens Survey, Abstract No. 492, J. Johnson Survey, Abstract No. 557, W.H. James Survey, Abstract No. 562, McKinney & Williams Survey, Abstract No. 750 and M. Rafferty Survey, Abstract No. 898, ELLIS COUNTY, TEXAS. The property is further described by metes and bounds in Exhibit "A" of this application.

1.2 Concept Plan.

The Planned Development Zone District is established with approval of this Concept Plan, establishing the boundaries of the district and four sub-districts, permitted uses and development regulations.

Table 1.1

Approximate Area By Sub-District	
Sub-District	Approximate Area (acres)
South	502
Central	508
North	567
East	388
Total	1,965

1.3 Development Site Plan.

- A. Approval of a preliminary plat for a Single Family residential portion of the planned development district shall serve as development site plan approval for the area included in the preliminary plat.**
- B. Non Single Family residential development shall meet the requirements for development site plan approval of the City of Waxahachie Zoning Ordinance.**

1.4 Master Homeowners Association.

A Master Home Owners Association shall be created to promote community interaction, maintain common areas, enforce deed restrictions, and establish an architectural review process. In residential areas, membership shall be mandatory. Sub-associations may be established to further govern use and standards in portions of the District in accordance with the City of Waxahachie Zoning Ordinance.

03/15/05

(10)

Villages of Mustang Creek

Section 2. Land Uses.

Permitted Land Uses.

Buildings, structures, and land within this Planned Development district shall be used in accordance with the following land use classification:

2.1 Commercial (C).

Land uses are permitted within the area described as Commercial (C) district in accordance with the Commercial (C), as shown in Table 2.3 herein. No outside storage shall be permitted in the Commercial District, regardless of land use.

2.2 General Retail (GR).

Land uses are permitted within the area described as General Retail (GR) district in accordance with the General Retail District (GR), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4. No outside storage shall be permitted within the General Retail District, regardless of land use.

2.3 Multi-Family Residential (MF-1).

Land uses are permitted within the area described as Multi-Family Residential (MF-1) district in accordance with the Multi-Family Residential District (MF-1), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.4 Two-Family Residential (2F).

Land uses are permitted within the area described as Two-Family Residential (2F) district in accordance with the Two-Family Dwelling District (2F), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.5 Single Family Residential –1 (SF-1).

Land uses are permitted within the area described as Single Family Residential – 1 (SF-1) district in accordance with the Single Family Residential District –1 (SF-1), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.6 Single Family Residential –2 (SF-2).

Land uses are permitted within the area described as Single Family Residential – 2 (SF-2) district in accordance with the Single Family Residential District – 2 (SF-2), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.7 Single Family Residential –3 (SF-3).

Land uses are permitted within the area described as Single Family Residential – 3 (SF-3) district in accordance with the Single Family Residential District – 3 (SF-3), as found in Section 33 of the City of Waxahachie Zoning Ordinance with the exception of the prohibited land uses shown in Table 2.4.

2.8 Accessory Uses. Accessory uses shall be allowed in accordance with the respective City of Waxahachie Zone Districts.

03/15/05

(10)

Villages of Mustang Creek

Table 2.1

Approximate Area by Land Use Classification		
Land Use Classification	Land Area (acres)	Land Area (%)
Commercial (C & GR)	178	9
Multi-Family Residential (MF-1 & 2F)	73	4
Single Family Residential (SF-1, 2 & 3)	1,714	87
TOTAL	1,965	100

Table 2.2

Approximate Land Use Area By Sub-District				
Land Use Classification	South (acres)	Central (acres)	North (acres)	East (acres)
Commercial (C & GR)	97	43	38	-0-
Multi-Family Residential (MF-1 & 2F)	-0-	34	39	-0-
Single Family Residential (SF-1, 2 & 3)	405	431	490	388
Total	502	508	567	388

(10)

Villages of Mustang Creek

Table 2.3

Allowed Uses Commercial District

Residential Uses

Bed and Breakfast Inn	
Mobile Home as a Fixed Dwelling	SUP
Mobile Home Park or Trailer Camp	SUP
Modular Prefabricated Structure	SUP
Multiple Family Dwelling or Apartment	
Single Family Dwelling Attached	
Single Family Dwelling Detached	
Two Family Dwelling (Duplex)	

Education, Institutional and Special Uses

Art Gallery or Museum	
Cemetery or Mausoleum	SUP
Child Care Center	
Church, Rectory or Temple	
College or University	
Convent or Monastery	
Day Camp for Children	
Community Home	SUP
Fairgrounds or Exhibition Area	
Farm, Ranch, Garden, Crops or Orchard	
Fraternal Organization, Lodge, Union Hall or Civic Club	
Golf Course or Country Club	
Home of Aged Residence (Assisted Living)	SUP
Hospital, Acute Care	
Hospital, Chronic Care	
Institution for Alcoholic, Narcotic or Psychiatric Patients	
Institution of Religious, Charitable or Philanthropic Nature	
Juvenile Detention Center	SUP
Kindergarten or Nursery School, Private	
Park, Playground or Public Community Center	
Rehabilitation Care Facility	SUP
School, Business	
School, Driving or Defensive Driving	
School, Private Primary or Secondary	SUP
School, Public or Parochial	
School, Commercial Trade	
Skilled Nursing Facility	SUP
Tennis, Swim or Recreation Club (Private)	

03/15/05

(10)

Villages of Mustang Creek

Utility, Service and Other Uses

Animal Pound (Public)	SUP
Antenna, Non-Commercial (Amateur Radio, Television or CB Radio)	
Electric Generating Plant	SUP
Electric Substation	
Electric Transmission Line	
Franchised Private Utility	SUP
Gas Transmission Line	
Local Utility Distribution Lines	
Municipally Owned Facilities and Uses	
Off-Street Parking Incidental to Main Use	
Public Building, Shop or Yard of Local, State, or Federal Agency	
Public or Private Utility Shop or Storage	SUP
Railroad Track and Right-Of-Way	
Sewage Pumping of Lift Station	
Telephone Business Office	
Telephone Line and Exchange	
Water Reservoir, Water Pumping Station and Well	
Water Stand Pipe or Elevated Storage Tank	
Water Treatment Plant (Public)	

Accessory and Incidental Uses

Accessory Building (Business or Industry)	
Caretaker's or Guard's Residence	
Field or Construction Office (Subject to Approval and Control by Building Inspection)	
Garage or Estate Sale	
Home Occupation	
Portable Building	SUP
Stables, Private	
Swimming Pool (Private)	
Tennis Court (Private, Lighted)	
Tennis Court (Private, No Lights)	

Sign and Identification Uses

Advertising Sign	
Agricultural Sign	
Apartment Name Sign	
Construction Sign	
Development Sign	
General Business Sign	
Institutional Sign	
Name Plate	
Portable Sign	
Real Estate Sign	
Special-Height Sign	

03/15/05

(10)

Villages of Mustang Creek

Retail and Service Type Uses

Animal Humane Society	
Antique Shop, Sale Indoors	
Appliance Rental	
Art Supply Store	
Bakery or Confectionary Shop (Retail)	
Banking, Automatic Teller Only	
Book or Stationary Shop or Newsstand	
Building Materials, Hardware or Home Improvement Center (Indoor)	
Building Materials, Hardware or Home Improvement Center (Outdoor)	
Cleaning Shop or Laundry Pick-Up and Self Service (Small Shop)	
Clinic, Medical or Dental (Doctor's Office)	
Computer Sales	
Copy Shop	
Custom Personal Service Shop	
Discount or Department Store	
Donut Shop	
Drapery, Needlework or Weaving Shop	
Drug Store or Pharmacy	
Florist or Garden Shop	
Food and Beverage Sales Store with Gasoline Service (Convenience Store)	
Food and Beverage Sales Store without Gasoline Service (Convenience Store)	
Funeral Home or Mortuary	
Furniture, Home Furnishings and Appliance Store	
Greenhouse or Plant Nursery with Outside Display of Plants (Retail Sales)	
Grocery Store	
Handicraft Shop and Art Objects Sales	
Hardware Store, Hobby Shop or Building Materials (Inside)	
Household Appliance Service or Repair	
Ice Cream / Yogurt Sales	
Incidental or Accessory Retail or Service Uses	
Key Shop	
Kiosk	SUP
Laboratory, Medical or Dental	SUP
Laundromat (or Self-Service Washateria)	
Massage Establishment (Medical)	SUP
Medical Appliances, Fitting, Sales or Retail	
Metal-Recycling Center	SUP
Mini-Warehouse	
Mortuary or Funeral Parlor	
Office, Professional and Administrative	
Palm-Reading / Fortune-Telling	
Pawn-Shop	
Pet Shop and Grooming	
Radio, Stereo and Cellular Phone Sales and Installation	
Restaurant or Cafeteria (Not Drive-In Service)	

03/15/05

(10)

Villages of Mustang Creek

Restaurant or Cafeteria (Drive-In Service)
Retail Shop, Apparel, gift, Accessory and Similar Items
Retail Stores and Shops other than listed
~~Secondhand Store, Used Furniture or Rummage Sale~~
Security Systems Installation Company
Silk Screening Studio or Tee Shirt Shop
Studio for Decorator, Artist, or Photographer
Studio, Health, Exercise Club or Similar Service
Studio, Music, Dance or Drama
Tanning Salon or Studio
Temporary Outdoor Retail Sales / Commercial Promotion
Theater (Indoor)
~~Tool and Light Equipment Rental~~
Travel Bureau or Travel Consultant
Trophy and Award Sales and Engraving
~~Used Clothing Store~~
Vacuum Cleaner Sales and Service
Variety Store or Similar Retail Outlet
~~Veterinarian Hospital with Outside Animal Pens~~
Veterinarian Office Only (No Outside Pens)
Wallpaper, Flooring and Carpet Store

Recreation and Entertainment Uses

Amusement Arcade
Amusement, Commercial (indoor)
~~Amusement, Commercial (outdoor)~~
Ballroom Dancing
Carnival, Circus or Tent Service (temporary) Subject to Temporary Permit
~~Country Club (private)~~
~~Day Camp for Children~~
~~Golf Course (Commercial)~~
Health Club or Studio
Park or Playground (private) Non-Commercial SUP
Playfield or Stadium (public)
Private Club SUP
~~Rodeo Grounds~~ SUP
Roller or Ice Rink
~~Stable (public or commercial)~~ SUP
Swimming Pool (commercial)
Swim, Tennis, or Handball Club
~~Theater (open drive-in)~~
Theater or Playhouse in Building
~~Zoo (public)~~ SUP

03/15/05

(10)

Villages of Mustang Creek

Auto and Related Uses

Airport or Landing Field	SUP
Auto Accessory Installation, Minor	
Auto Glass, Seat Cover/Upholstery and Muffler Shop	
Auto Laundry or Car Wash	
Auto Leasing and Rental	
Automotive Gasoline Service Station or Car Care Center	
Auto Painting or Body Rebuilding Shop	SUP
Auto Parts and Accessory Sales, New (indoor)	
Auto Repair (major)	SUP
Auto Repair (minor)	
Boat Sales	SUP
Bus Substation or Terminal	
Commercial Auto Parking Lot	
Hauling or Storage Company with Outside Storage	SUP
Heliport	SUP
Helistop	SUP
Motorcycle Sales and Repair	SUP
Motor Freight Terminal	SUP
New and Used Auto Sales	
Parking Lot or Structure, Commercial (auto)	
Parking Lot, Trucks and Trailers	SUP
RV Camper Sales	SUP
Tire Installation and Repair (inside storage only)	
Tire Installation and Repair with Outside Storage	
Tire Retreading or Capping	
Tractor Sales (new or used)	SUP
Trailer, Truck or Mobile Home Sales or Rental	SUP
Trailer and Heavy Load Vehicle Repair	SUP
Truck Stop	
Used Auto Sales, Outdoor Lot	SUP

Commercial Type Uses

Ambulance Services	
Bakery or Confectionary (Wholesale or Commercial)	
Book Binding	
Bottling Works (Wholesale)	
Building Material Sales	
Cabinet and Upholstery Shop	
Cleaning and Dyeing Plant (Commercial)	
Cleaning Plant (Commercial, Special Equipment)	
Clothing Manufacture or Light Compounding or Fabrication	
Contractor's Yard and Storage Shop	
Drapery or Furniture Upholstery Shop	
Dyeing or Laundry Dry Cleaning Plant (Commercial)	SUP
Feed and Grain Store	

03/15/05

(10)

Villages of Mustang Creek

Commercial Type Uses (Continued)

Flea Market	SUP
Food Processing Plant	SUP
Furniture Manufacture and Refinishing Shop	
Glass Cutting	
Heating and Air Conditioning Sales	
Job Printing or Newspaper Printing	
 kennel (Outdoor or Indoor Pens)	SUP
Laboratory Equipment Manufacturing	SUP
Laboratory, Scientific or Research	
Landscape Service Installation	
Light Manufacturing and Assembly Processes	
Lithographic or Print Shop	
Maintenance and Repair Services for Buildings	
Metal Buildings	SUP
Milk Depot, Dairy or Ice Cream Plant	
Motel or Hotel (less than 75 rooms)	
Motel or Hotel (over 75 rooms)	
Office Showroom / Warehouse	
Open Storage, Display, or Work Areas for Merchandise or Machinery	SUP
Outside Display for Sale of Portable Buildings or Satellite Dish Antennae	
Paint Shop	SUP
Plumbing Shop	
Portable Building Sales	SUP
Railroad Team Track Freight Depot or Decks	SUP
Storage or Wholesale Warehouse	
Wholesale Office and Sample Room	

General Manufacturing and Industrial Uses

~~Concrete or Asphalt Batching Plant (Temporary)~~ ~~By Council Resolution Only~~

Note: Uses shown with a ~~strikethrough~~ are not allowed within the PD District.

03/15/05

(10)

Villages of Mustang Creek

Table 2.4

Prohibited Land Uses

Boarding or Rooming House – MF1
Fraternity or Sorority House – SF1, SF2, SF3, 2F, MF1
Multiple Family Dwelling or Apartment – GR
Single Family Dwelling, Attached – GR
Single Family Dwelling, Detached – 2F, MF1, GR
Two Family Dwelling – MF1, GR
Art Gallery or Museum - SF1, SF2, SF3, 2F, MF1
Cemetery or Mausoleum - SF1, SF2, SF3, 2F, MF1, GR
Convent or Monastery - SF1, SF2, SF3, 2F, MF1
Day Camp for Children - SF1, SF2, SF3
Fairgrounds or Exhibition Area – GR
Farm, Ranch Garden, Crops or Orchard - SF1, SF2, SF3, 2F, MF1, GR
Group Day Care Home - SF1, SF2, SF3, 2F
Home for Aged, Residence - SF1, SF2, SF3, 2F
Hospital, Acute Care – SF3, 2F
Institution for Alcoholic, Narcotic, or psychiatric patients – GR
Juvenile Detention Center – GR
Kindergarten or Nursery School, Private - SF1, SF2, SF3, 2F
Skilled Nursing Facility – GR
School, Commercial Trade – GR
Home Occupation – GR
Stables (Private) – SF1
Swimming Instruction as Home Occupation – SF1, SF2, SF3, 2F, GR
Searchlights – GR
Building Materials, Hardware or Home Improvement Center (Outdoor) – GR
Funeral Home or Mortuary – GR
Greenhouse or Plant Nursery w/ Outside Display of Plants (retail Sales) – GR
Metal Recycling Center – GR
Mini-Warehouse – GR
Mortuary or Funeral Parlor – GR
Pawn Shop – GR
Secondhand Store, Used Furniture or Rummage Sales – GR
Theater (indoor) – GR
Used Clothing Store – GR
Veterinarian Hospital with Outside Animal Pens – GR
Wallpaper, Flooring and Carpet Store – GR
Amusement Arcade – GR
Amusement, Commercial (Outdoor) – GR
Ballroom Dancing – GR
Airport or Landing Field – GR
Auto Accessory Installation, Minor – GR
Auto Laundry or Car Wash – GR

03/15/05

(10)

Villages of Mustang Creek

Auto Leasing and Rental – GR
Auto Repair (Minor) – GR
Bus Substation or Terminal – GR
Commercial Auto Parking Lot – GR
Heliport – GR
Helistop – GR
New and Used Auto Sales – GR
Parking Lot or Structure, Commercial – GR
Tire Installation and Repair – GR
Tire Installation and Repair w/ Outside Storage – GR
Used Auto Sales, Outdoor Lot – GR
Lithographic or Print Shop – GR
Motel or Hotel (less than 75 rooms) – GR
Motel or Hotel (Over 75 rooms) – GR
Open or Outside Storage, Display, or Work Area for Merchandise or Machinery – GR
Outside Display for Sale of Portable Buildings or Satellite Dish Antennas – GR

03/15/05

(10)

Villages of Mustang Creek

Section 3. Development Regulations

3.1.1 Overall Residential Density.

The total number of residential dwelling units within the District shall not exceed 4,792, or 2.80 units per acre of land within the sum total of all single-family residential districts (1,714 acres) as shown on the Concept Plan; and within each sub-district as follows:

Table 3.1.1

Maximum Number of Single Family Residential Lots By Sub-District			
Sub-District	Maximum Number of SF Lots	Gross Area of Single Family Residential Use (acres)	Gross Density (Lots per Acre)
North	1,431	490	2.92
Central	1,380	431	3.20
South	1,230	405	3.04
East	751	388	1.94
Total	4,792	1,714	2.80

Table 3.1.2

Maximum Number of All Dwellings Within Planned Development District			
Sub-Area	Gross Area (acres)	Maximum Density (units per acre)	Maximum Number of Dwelling Units
Single-Family	1,714	2.80	4,792
Two-Family	30	6.67	200
Multi-Family	43	18.0	774
TOTAL	1,787	3.23	5,766

Each Preliminary Plat submitted shall comply with the residential mix ratios for the district as depicted in Table 3.2.

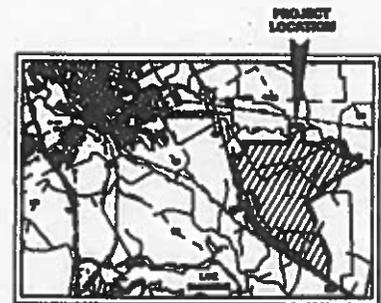
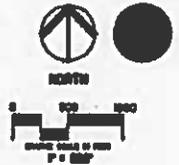
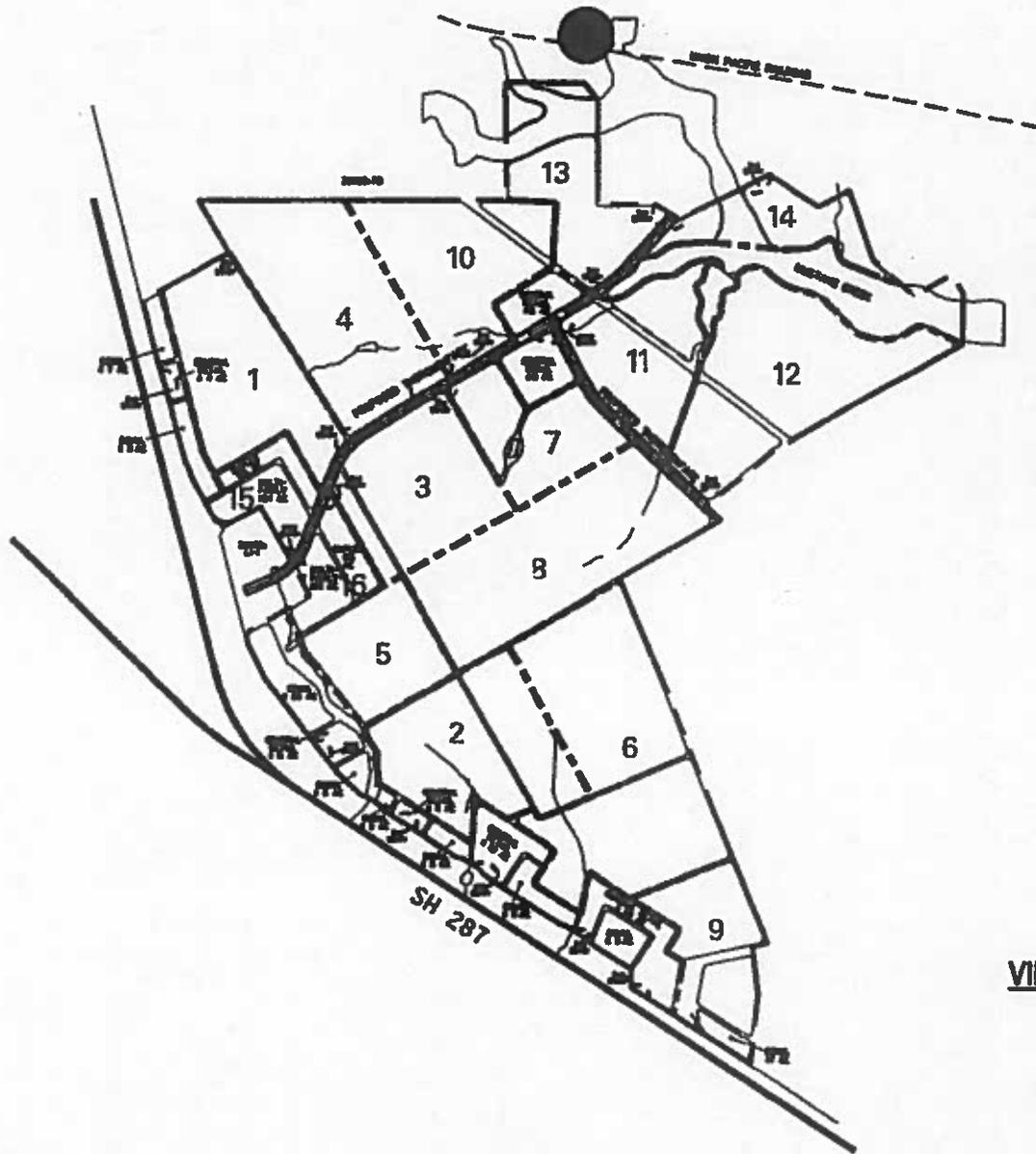
(10)

Villages of Mustang Creek

3.1.2 Project Phasing.

Development within the District is dependent upon the availability and location of water and wastewater utility service from the City of Waxahachie. Generally, the first phases will be near Highway 287 in the western portion of the District and subsequent development will proceed from west to east, with utilities and thoroughfares extended as development occurs as referenced and depicted in the phasing plan included as Exhibit 1.

03/15/05



(11)

**PHASING PLAN
VILLAGES OF MUSTANG CREEK**

CITY OF WAXAHACHE

Carter-Burgess
 Engineers & Architects
 1000 West Street, Suite 100
 Waxahatchee, Texas 75165
 Phone: 817-939-1111
 Fax: 817-939-1112

January 2005

CSD FILE NO. 05-020-000 PROJECT NO. 05-020-000

EXHIBIT 1

(10)

Villages of Mustang Creek

Table 3.2

Single Family Lot Distribution By Sub-District & Zone Classification		
Residential Zone Classification (Minimum Lot Area)	Lot Count Thresholds	Percent Of Lots
North Sub-District		
SF-1 (12,500 sq. ft.)	Minimum of 163	Minimum of 11 %
SF-2 (8,000 sq. ft.)	Minimum of 823	Minimum of 58 %
SF-3 (6,600 sq. ft.)	Maximum of 445	Maximum of 31 %
Total	Maximum of 1,431	
Central Sub-District		
SF-2 (8,000 sq. ft.)	Minimum of 825	Minimum of 60 %
SF-3 (6,600 sq. ft.)	Maximum of 555	Maximum of 40 %
Total	Maximum of 1,380	
South Sub-District		
SF-1 (12,500 sq. ft.)	Minimum of 180	Minimum of 15 %
SF-2 (8,000 sq. ft.)	Minimum of 615	Minimum of 50 %
SF-3 (6,600 sq. ft.)	Maximum of 435	Maximum of 35 %
Total	Maximum of 1,230	
East Sub-District		
SF-1 (12,500 sq. ft.)	Minimum of 376	Minimum of 50 %
SF-2 (8,000 sq. ft.)	Minimum of 375	Maximum of 50 %
Total	Maximum of 751	
TOTAL - ALL SUB-DISTRICTS		
SF-1 (12,500 sq. ft.)	Minimum of 719	Minimum of 15 %
SF-2 (8,000 sq. ft.)	Minimum of 2,638	Minimum of 55 %
SF-3 (6,600 sq. ft.)	Maximum of 1,435	Maximum of 30 %
Total	Maximum of 4,792	100 %

(10)

Villages of Mustang Creek

3.2 Lot Regulations

Lot dimensions, setbacks, and lot coverage are established as follows:

3.2.1 Commercial District.

Lot dimensions within the Commercial District shall be in accordance with Section 27 (Commercial District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Front Yard. The minimum front yard shall be 60 feet.
- B. Rear Yard. The minimum rear yard shall be 40 feet.

3.2.2 General Retail District.

Lot dimensions within the General Retail District shall be in accordance with Section 25 (General Retail District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Front Yard. The minimum front yard shall be 60 feet.
- B. Rear Yard. The minimum rear yard shall be 40 feet.

3.2.3 Multi-Family Residential District.

Lot dimensions within the Multi-Family Residential District shall be in accordance with Section 18 (Multi-Family Residential - 1 District) of the City of Waxahachie Zoning Ordinance.

3.2.4 Two Family Residential District.

Lot dimensions within the Two Family Dwelling District shall be in accordance with Section 17 (Two-Family Residential District) of the City of Waxahachie Zoning Ordinance.

3.2.5 Single Family Residential –1 District.

Lot dimensions within the Single Family Residential – 1 District shall be in accordance with Section 14 (Single Family Residential – 1 District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Lot Depth. The minimum lot depth shall be 120 feet, except on cul-de-sac bulbs and elbows, where the minimum lot depth shall be 110 feet.

3.2.6 Single Family Residential –2 District.

Lot dimensions within the Single Family Residential – 2 District shall be in accordance with Section 15 (Single Family Residential – 2 District) of the City of Waxahachie Zoning Ordinance, except as follows:

- A. Lot Depth. The minimum lot depth shall be 115 feet, except on cul-de-sac bulbs and elbows, where the minimum lot depth shall be 100 feet.

3.2.7 Single Family Residential –3 District.

Lot dimensions within the Single Family Residential – 3 District shall be in accordance with Section 16 (Single Family Residential – 3 District) of the City of Waxahachie Zoning Ordinance, except as follows:

(10)

Villages of Mustang Creek

A. **Lot Area.** The minimum lot area shall be 6,600 square feet.

B. **Lot Depth.** The minimum lot depth shall be 110 feet, except on cul-de-sac bulbs and elbows, where the minimum lot depth shall be 100 feet.

3.3 Building Regulations.

Building regulations within the Planned Development District for all uses shall be in accordance with the respective Sections of the City of Waxahachie Zoning Ordinance, as follows:

3.3.1	Commercial	Section 27
3.3.2	General Retail	Section 25
3.3.3	Multi-Family Residential – 1	Section 18
3.3.4	Two-Family Residential	Section 17
3.3.5	Single Family Residential –1	Section 14
3.3.6	Single Family Residential –2	Section 15
3.3.7	Single Family Residential –3	Section 16

3.3.8 Other Building Regulations

All buildings shall meet or exceed the minimum requirements of the City of Waxahachie Zoning Ordinance, including exterior construction requirements, lot coverage, setbacks, and minimum dwelling area. In addition, an Architectural Control Committee shall be established for the purposes of architectural review for repeating elevations, brick type, roof pitch, etc.

3.4 Parking Regulations

For all land uses, off-street parking shall be in accordance with Section 35 of the City of Waxahachie Zoning Ordinance.

3.5 Landscape Requirements

Landscaping shall be required in accordance with Section 36 of the City of Waxahachie Zoning Ordinance, except as follows:

3.5.1 Landscape Buffer on Thoroughfare Frontage.

On non-residential lots, a minimum 20-foot landscape buffer (interior parkway) adjacent to any arterial thoroughfare right-of-way shall be provided.

3.5.2 Trees on Residential Lots.

Two 3-inch caliper trees, in accordance with an approved City of Waxahachie tree list, shall be planted on each residential lot.

03/15/05

(10)

Villages of Mustang Creek

3.5.3 Trees in Public Spaces.

Within lots dedicated for public or common use, no fewer than 800 3-inch caliper trees, in accordance with an approved City of Waxahachie tree list, shall be planted.

3.5.4 Entries to Development.

No fewer than four (4) entries to residential development within the District shall be provided with no less than 90 feet of right-of-way width and landscaped medians of no less than 14 feet in width. Irrigation shall be required for all primary and entrances, and all medians that feature landscaping.

3.6 Screening and Buffering Requirements

3.6.1 Screening Between Uses.

Screening to provide a buffer between uses shall be required in accordance with Section 38 of the City of Waxahachie Zoning Ordinance and Subdivision Ordinance #2084, except as follows:

A. Any required screening wall or fence shall be placed within a landscape buffer area no less than 10 feet in width and 1 tree in accordance with an approved City of Waxahachie tree list shall be planted per 40 lineal feet of screening wall.

3.6.2 Screening Adjacent to Collector Streets.

Screening shall be provided along residential lots with side or rear lot lines adjacent to collector streets. A 10 foot landscape lot shall be provided within which a meandering sidewalk (with 5 foot minimum width) shall be constructed and 3-inch caliper trees, in accordance with an approved City of Waxahachie tree list, shall be planted at a rate of 1 tree per 50 feet of collector street. A masonry wall shall be constructed on the property line adjacent to any residential rear or side yard.

3.7 Park and Open Space Requirements

Park land shall be provided for public or private recreation. Park land may include public or private pocket parks, neighborhood parks, playgrounds, and community recreation facilities that are accessible to residents of the PD district. Park land shall be maintained by a Home Owner's Association unless dedicated to the City of Waxahachie.

3.7.1 Public Park Land/Neighborhood Parks

A minimum of four (4) "neighborhood parks" shall be provided, one in each of four sub-districts. Each park shall be a minimum of seven (7) acres in size, exclusive of any floodplain area. The location of each neighborhood park shall be reasonably central within each respective sub-district. The specific location of each park shall be determined at the time of preliminary plat approval, and shall be subject to a favorable determination by the City that the land that is proposed for each park area is suitable for such purposes. Each neighborhood park shall be dedicated to the City upon platting twenty-five percent (25%) of the total number of lots within each respective sub-district.

(10)

Villages of Mustang Creek

Each neighborhood park shall be dedicated to the City (in fee simple) at the time of final plat approval, unless the City decides that the neighborhood park can be, and should be, owned and maintained by the private homeowners' association (HOA) that is duly approved by the City for the subdivision.

Each neighborhood park shall contain and include the following facilities at a minimum (all construction materials, structures, location and placement shall be as approved by the City):

- a. One (1) modular playground apparatus, installed on a safe "fall zone" surface (such as pea gravel or other surface as determined appropriate and acceptable by the City);
- b. Concrete paved parking area for on-site (i.e., not on-street) parking of at least ten (10) vehicles;
- c. Drinking fountain, connected to the City's potable water supply line;
- d. Picnic shelter (covered, on concrete paved slab) with at least five (5) picnic tables;
- e. Six (6) park benches; and
- f. One (1) standard swing set with at least four (4) swings,
- g. One (1) bike rack
- i. Two (2) trash receptacles.

The above facilities shall be installed by the developer, based upon a site plan, specifications and construction details that are approved by City staff.

3.7.2. Private Open Space

In addition to the neighborhood parks described above, private park land shall be provided at a rate of one (1) acre per one hundred (100) dwelling units at the time of preliminary plat approval. All private park areas shall be owned and maintained by the HOA. Each private park area shall be depicted on the plat as a separate tract, and shall be shown as "to be conveyed to and maintained by the HOA" on the final plat.

3.7.3 Private Amenity Centers

One community recreation facility shall be provided within each of the four sub-districts. These facilities must be no less than 2 acres in area and shall provide the following elements:

- 1 swimming facility
- 1 covered cabana, with restroom facilities
- 1 covered picnic area
- 2 park benches
- 3 trash receptacles

03/15/05

(10)

Villages of Mustang Creek

- 1 bike rack
- 1 playground system containing at least 5 activity stations

One amenity center with each sub-district shall be constructed when the sub-district's development exceeds 250 platted lots and completed prior to the issuance of the 250th residential certificate of occupancy within the sub-district.

3.7.4 Park and Open Space Requirements.

- A. All residences shall be within 1,500 lineal feet of a park, playground, school site or accessible open space.**
- B. Any open space greater than 4 acres or linear open space greater than 250 feet in length shall contain a trail that connects to other trails or to sidewalks within public street right-of-way. All trails shall be a minimum of six feet (6') in width, and shall be constructed of a surface material mutually acceptable to the Developer and the City of Waxahachie. The trail connectivity shall be completed prior to the issuance of the first certificate of occupancy within the related phase of development.**
- C. One of the previously described parks within Sections 3.7.1, 3.7.2 or 3.7.3 shall be completed prior to the issuance of the 1st residential certificate of occupancy within the 1st phase of residential development within each sub-district.**

3.8 Signs.

Signs shall be installed in accordance with Section 43 of the City of Waxahachie Zoning Ordinance.

(10)

Villages of Mustang Creek

Villages of Mustang Creek Proposed Enhancements

Type of Requirement	Current City Requirement	Proposed Planned Development Requirement
RESIDENTIAL LOT AREA & DIMENSIONS		
Lot Area (SF-3)	6,000 sq. ft.	6,600 sq. ft.
Lot Depth (SF-1)	100 ft.	120 ft.
Lot Depth (SF-2)	100 ft.	115 ft.
Lot Depth (SF-3)	100 ft.	110 ft.
COMMERCIAL LOT DIMENSIONS		
Minimum Front Yard (Commercial)	25 ft.	60 ft.
Minimum Rear Yard (Commercial)	25 ft. (Adjacent to Residential)	40 ft.
Minimum Front Yard (Retail)	40 ft.	60 ft.
Minimum Rear Yard (Retail)	25 ft. (Adjacent to Residential)	40 ft.
RESIDENTIAL BUILDING REGULATIONS		
Residential Architectural Control	No Requirement	A residential architectural control committee has been established for review of architectural features.
LANDSCAPE REQUIREMENTS		
Commercial Landscape Buffer Adjacent to Street ROW	10 ft.	20 ft.
Residential Trees on Lot	None Required	2 per lot
Trees on Public or Common Areas	None Required	800 required
Residential Entrance Requirements	None Required	90 ft. of width with landscaped median and parkways
SCREENING AND BUFFERING REQUIREMENTS		
Landscape Buffer Area at Screening Walls	Subdivision Ordinance Section 5.7	10 ft. in width 1 tree per 40 lineal feet
Landscape Buffer Area adjacent to Residential Collector Street with adjacent rear or side lot lines.	Subdivision Ordinance Section 5.7	10 ft. in width 5 ft. meandering sidewalk 1 tree per 50 lineal feet

(10)

Villages of Mustang Creek

<i>Villages of Mustang Creek</i> <u>Proposed Enhancements</u>		
Type of Requirement	Current City Requirement	Proposed Planned Development Requirement
PARK AND OPENSPACE REQUIREMENTS		
Minimum Park Land Required	None Required	1 acre per 100 lots
Park Locations	None Required	All residences within 1,500 lineal feet of park
Minimum Number of Parks	None Required	At least 2 parks in each sub-district; 40,000 sq. ft. minimum; playground required
Minimum Number of Amenity Centers	None Required	At least 1 in each sub-district; 2 acre minimum; swimming pool required
Trail System	None Required	Trail shall connect significant open spaces

(10)

Villages of Mustang Creek

Villages of Mustang Creek Summary of PD Zoning Regulations			
Zoning Criteria	SF-1	SF-2	SF-3
LOT DIMENSIONS			
Minimum Lot Area (Sq. Ft.)	12,500	8,000	6,600
Minimum Lot Width (Ft.)	80	70	60 ¹
Minimum Lot Depth (Ft.)	120	115	110
SETBACKS			
Minimum Front Setback (Ft.)	25	25	25
Minimum Rear Setback (Ft.)	15	15	15
Minimum Side Setback – Interior (Ft.)	10	8	7
Minimum Side Setback – Corner (Ft.)	20	15	15
Minimum Setback – Garage Opening (Ft.) ²	20	20	20
OTHER REGULATIONS			
Maximum Height (Stories)	2	2	2
Maximum Lot Coverage (%)	35	35	35
Minimum Dwelling Area (Sq. Ft.)	2,200	1,600	1,200
Minimum Enclosed Parking Spaces	2	2	2
Minimum Masonry (%) ³	75	75	75
Trees (3 inch caliper) ⁴	2	2	2
Masonry Fence at side or rear yards adjacent to Arterial and Collector Streets	Yes	Yes	Yes
Landscape Buffer with 5 foot sidewalk and street trees adjacent to side and rear yards adjacent to Arterial and Collector Streets (Ft.)	10	10	10

¹ Lot width may be 55 feet, as measured at the front building line, on a cul-de-sac bulb. Section 40.2.D.

² Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage to the side property line for maneuvering.

³ Total exterior walls above grade level roof overhang, excluding doors and windows, constructed of brick, stone, or material of equal characteristics. Section 34.2.A.1.a.

⁴ Yellow highlight shows requirement exceeding minimum standards of City Zoning Ordinance.

APPROXIMATE AREA BY SUB-DISTRICT	
SUB-DISTRICT	APPROXIMATE AREA (ACRES)
SOUTH	567
CENTRAL	508
EAST	388
TOTAL	1463

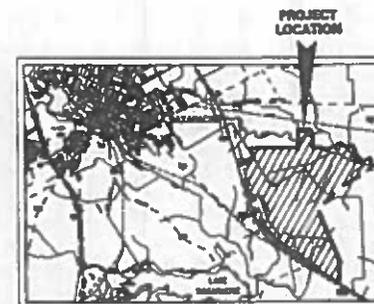
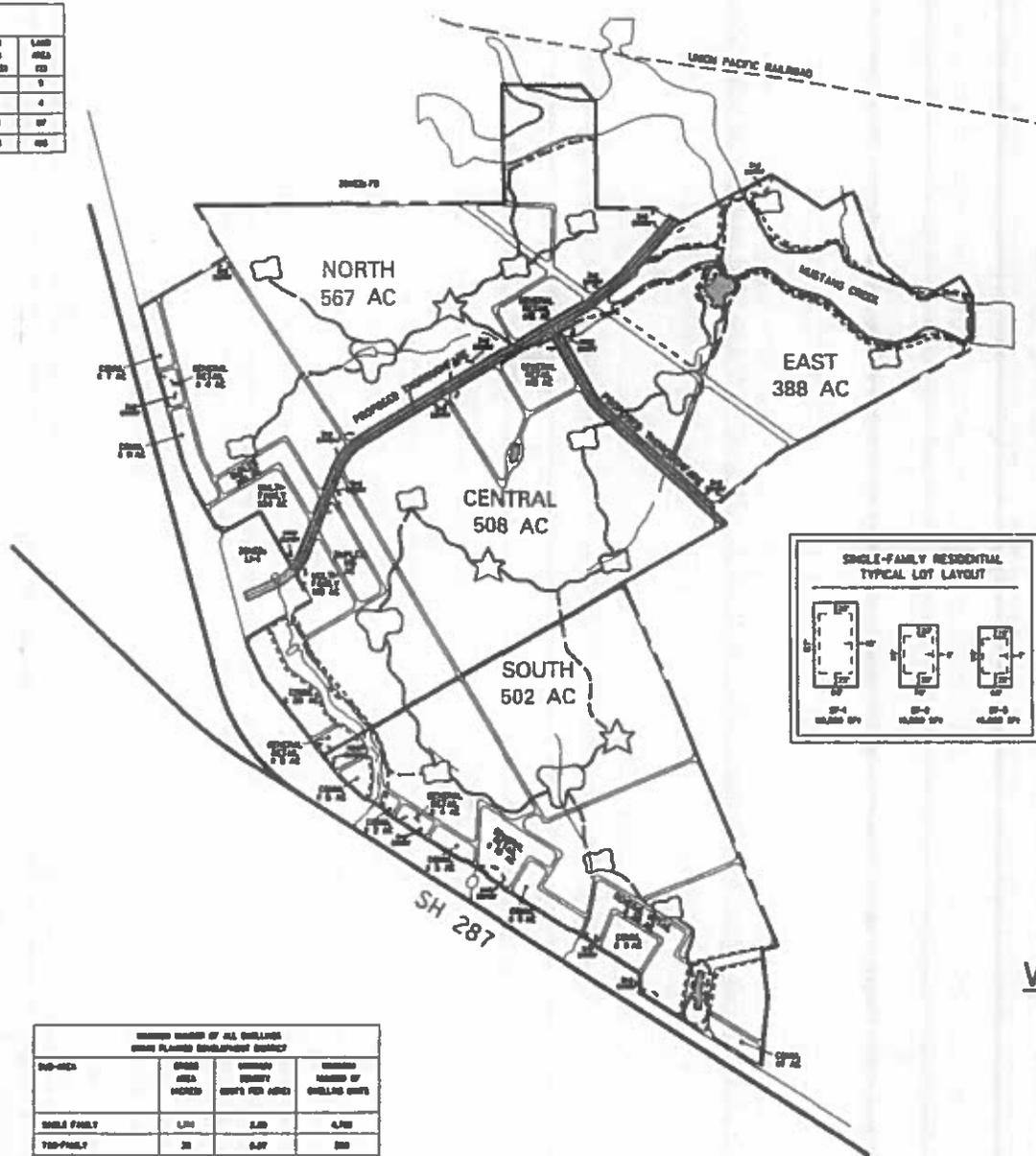
APPROXIMATE AREA BY LAND USE CLASSIFICATION			
LAND USE CLASSIFICATION	LAND AREA (ACRES)	LAND AREA (SQ FT)	
COMMERCIAL, RT & BR	0	0	0
MULTI-FAMILY RESIDENTIAL, MF-1 & 2	73	32	4
SINGLE FAMILY RESIDENTIAL, SF-1, 2 & 3	1390	607	87
TOTAL	1463	639	

APPROXIMATE LAND USE AREA BY SUB-DISTRICT				
LAND USE CLASSIFICATION	SOUTH (ACRES)	CENTRAL (ACRES)	EAST (ACRES)	TOTAL (ACRES)
COMMERCIAL, RT & BR	0	0	0	0
MULTI-FAMILY RESIDENTIAL, MF-1 & 2	0	24	30	54
SINGLE FAMILY RESIDENTIAL, SF-1, 2 & 3	488	484	358	1330
TOTAL	488	508	388	1463

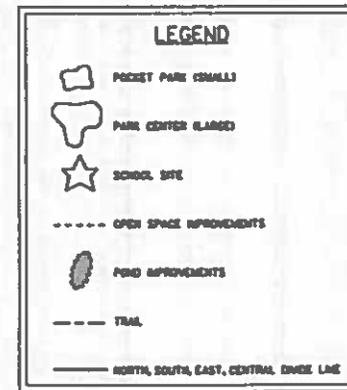
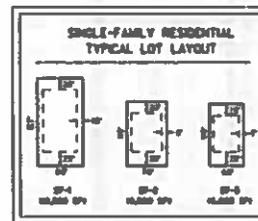
NUMBER UNITS OF SINGLE FAMILY RESIDENTIAL, LAND BY SUB-DISTRICT			
SUB-DISTRICT	NUMBER UNITS OF LAND	UNITS PER ACRE OF SINGLE FAMILY RESIDENTIAL, LAND	UNITS PER ACRE
SOUTH	140	400	0.60
CENTRAL	130	40	0.60
EAST	120	400	0.60
TOTAL	430	130	0.60

SINGLE FAMILY LOT DISTRIBUTION BY SUB-DISTRICT & ZONE CLASSIFICATION		
REGULATORY ZONE CLASSIFICATION	LOT COUNT	PERCENT OF TOTAL
SOUTH SUB-DISTRICT		
SP-1 (CLASS) SF-P1	NUMBER OF 1/2	NUMBER OF 1/2
SP-2 (CLASS) SF-P2	NUMBER OF 1/2	NUMBER OF 1/2
SP-3 (CLASS) SF-P3	NUMBER OF 1/2	NUMBER OF 1/2
TOTAL	NUMBER OF 1/2	
CENTRAL SUB-DISTRICT		
SP-4 (CLASS) SF-P4	NUMBER OF 1/2	NUMBER OF 1/2
SP-5 (CLASS) SF-P5	NUMBER OF 1/2	NUMBER OF 1/2
TOTAL	NUMBER OF 1/2	
EAST SUB-DISTRICT		
SP-6 (CLASS) SF-P6	NUMBER OF 1/2	NUMBER OF 1/2
SP-7 (CLASS) SF-P7	NUMBER OF 1/2	NUMBER OF 1/2
SP-8 (CLASS) SF-P8	NUMBER OF 1/2	NUMBER OF 1/2
TOTAL	NUMBER OF 1/2	
ALL SUB-DISTRICTS		
SP-1 (CLASS) SF-P1	NUMBER OF 1/2	NUMBER OF 1/2
SP-2 (CLASS) SF-P2	NUMBER OF 1/2	NUMBER OF 1/2
SP-3 (CLASS) SF-P3	NUMBER OF 1/2	NUMBER OF 1/2
TOTAL	NUMBER OF 1/2	

NUMBER UNITS OF ALL DWELLING UNITS PLANNED DEVELOPMENT QUANTITY			
SUB-DISTRICT	UNITS PER ACRE	UNITS PER ACRE	NUMBER OF DWELLING UNITS
SINGLE FAMILY	1.30	0.60	470
MULTI-FAMILY	20	0.20	200
TOTAL	1.50	0.80	670



VICINITY MAP
S.T.S.



CONCEPT PLAN VILLAGES OF MUSTANG CREEK

CITY OF WAXAHACHE

Carter • Burgess
 Consultants in Planning, Engineering, Architecture,
 Construction Management, and Related Services
CARTER & BURGESS, INC.
 7700 BARRACLOUGH DRIVE, SUITE 200
 DALLAS, TEXAS 75249
 PHONE (214) 412-0400
 FAX (214) 412-0401

January 2005



(10)

Location Layout Exhibit

**SADDLEBROOK ESTATES
PD AMENDMENT
LOT COVERAGE - EXHIBIT A**
L.J.B. Engineering, Inc.
8544 North Central Expressway
Suite 408
Dallas, Texas 75238
Phone: 408.521.5710
Fax: 408.521.5710

City of Dallas - 2/18/2022 10:14 AM - 10:15 AM - 10:16 AM - 10:17 AM - 10:18 AM - 10:19 AM - 10:20 AM - 10:21 AM - 10:22 AM - 10:23 AM - 10:24 AM - 10:25 AM - 10:26 AM - 10:27 AM - 10:28 AM - 10:29 AM - 10:30 AM - 10:31 AM - 10:32 AM - 10:33 AM - 10:34 AM - 10:35 AM - 10:36 AM - 10:37 AM - 10:38 AM - 10:39 AM - 10:40 AM - 10:41 AM - 10:42 AM - 10:43 AM - 10:44 AM - 10:45 AM - 10:46 AM - 10:47 AM - 10:48 AM - 10:49 AM - 10:50 AM - 10:51 AM - 10:52 AM - 10:53 AM - 10:54 AM - 10:55 AM - 10:56 AM - 10:57 AM - 10:58 AM - 10:59 AM - 11:00 AM - 11:01 AM - 11:02 AM - 11:03 AM - 11:04 AM - 11:05 AM - 11:06 AM - 11:07 AM - 11:08 AM - 11:09 AM - 11:10 AM - 11:11 AM - 11:12 AM - 11:13 AM - 11:14 AM - 11:15 AM - 11:16 AM - 11:17 AM - 11:18 AM - 11:19 AM - 11:20 AM - 11:21 AM - 11:22 AM - 11:23 AM - 11:24 AM - 11:25 AM - 11:26 AM - 11:27 AM - 11:28 AM - 11:29 AM - 11:30 AM - 11:31 AM - 11:32 AM - 11:33 AM - 11:34 AM - 11:35 AM - 11:36 AM - 11:37 AM - 11:38 AM - 11:39 AM - 11:40 AM - 11:41 AM - 11:42 AM - 11:43 AM - 11:44 AM - 11:45 AM - 11:46 AM - 11:47 AM - 11:48 AM - 11:49 AM - 11:50 AM - 11:51 AM - 11:52 AM - 11:53 AM - 11:54 AM - 11:55 AM - 11:56 AM - 11:57 AM - 11:58 AM - 11:59 AM - 12:00 AM

(11)

ORDINANCE NO. _____

AN AMENDMENT TO ORDINANCE 2302 AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), WITH AMENDED ORDINANCE, TO ALLOW AN INCREASE IN LOT COVERAGE, LOCATED AT THE NORTHWEST & SOUTHEAST OF THE INTERSECTION OF PIMLICO DR. AND HIGHWAY 287, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 472.56 ACRES KNOWN AS A PORTION OF PROPERTY ID 262511, 189842, AND 241033, 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 has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-180-2020. 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 to PD with Amended 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 zoning amendment;

NOW, THEREFORE, this property is rezoned from PD to PD with Amended Ordinance, in order to amend Ordinance 2302 to increase the lot coverage from 35% to 50% on the following property: a portion of Property ID 262511, 189842, and 241033, which is shown on Exhibit A.

PLANNED DEVELOPMENT

Purpose and Intent

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

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance.

(11)

Development Regulations

1. The maximum lot coverage shall be 50%.
2. The Site Plan shall conform as approved by the City Council under case number ZDC-180-2020.
3. Any zoning, land use requirement, or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in Ordinance 2302.
4. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

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

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

PASSED, APPROVED, AND ADOPTED on this 1st day of February, 2021.

MAYOR

ATTEST:

City Secretary

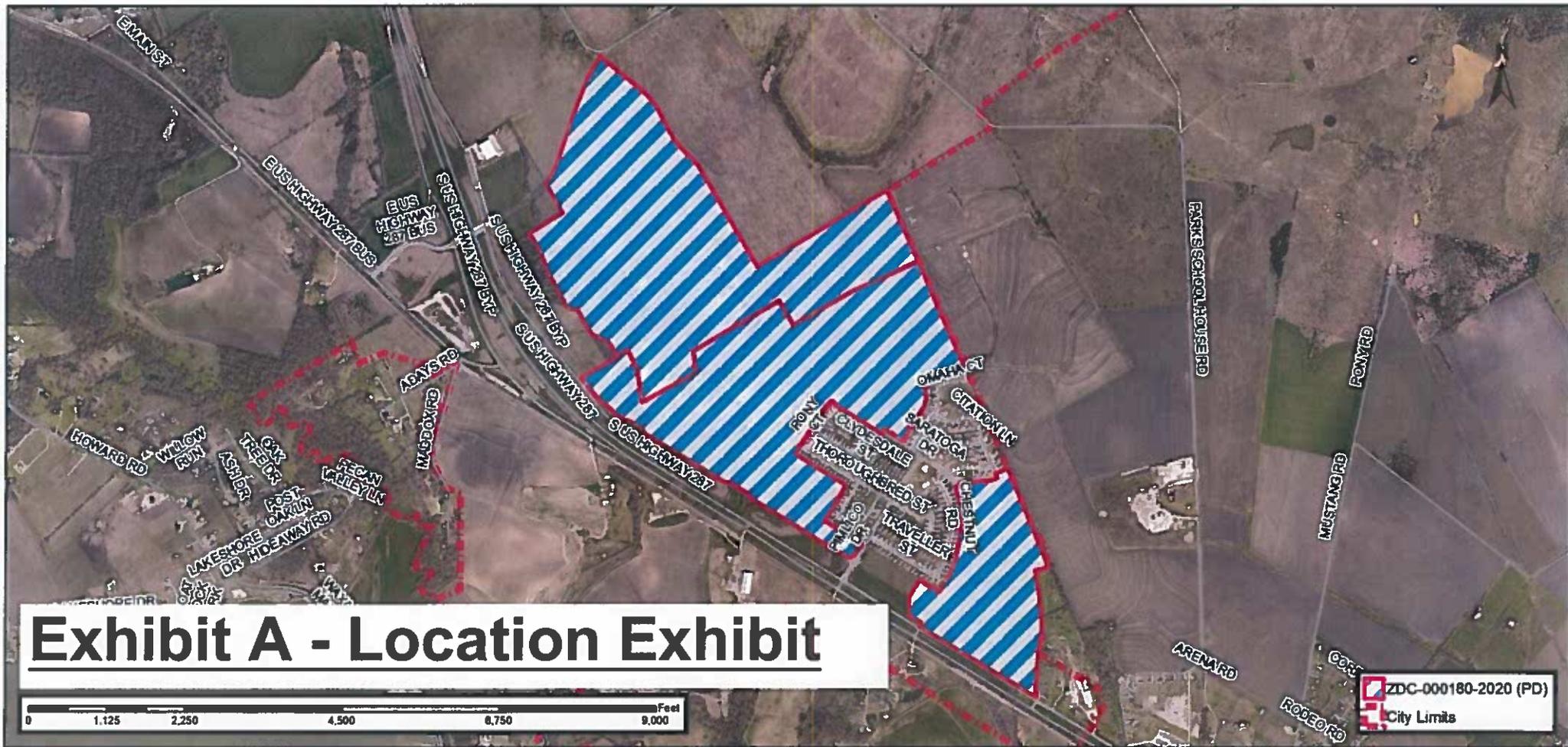


Exhibit A - Location Exhibit

0 1,125 2,250 4,500 6,750 9,000 Feet

ZDC-000180-2020 (PD)
City Limits



(12)

Planning & Zoning Department Zoning Staff Report

Case: ZDC-176-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 26, 2021, the Commission voted 6-0 to recommend approval of case number ZDC-176-2020, as presented by staff.

CAPTION

Public Hearing on a request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

APPLICANT REQUEST

The applicant is requesting to construct a +700 sq. ft. (6,000 sq. ft.) multi-purpose accessory building for the SAGU (Southwestern Assemblies of God University) baseball team.

CASE INFORMATION

Applicant: Cliff Bartosh
Property Owner(s): Southwestern Bible Institute
Site Acreage: 71.818 acres
Current Zoning: Planned Development-General Retail
Requested Zoning: Planned Development-General Retail with SUP

SUBJECT PROPERTY

General Location: 1200 Sycamore St.
Parcel ID Number(s): 193782
Existing Use: Southwestern Assemblies of God University
Development History: N/A

(12)

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF2	Single Family Residences
East	SF2	Single Family Residences
South	PD-GR	SAGU
West	PD-GR	SAGU

Future Land Use Plan: Public/Semi-Public

Comprehensive Plan: 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 Brummett Dr.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to construct a +700 sq. ft. (6,000 sq. ft.) accessory building at the SAGU baseball field located at 1200 Sycamore St. Per the City of Waxahachie Zoning Ordinance, an accessory building that is equal to or greater than 700 square feet requires a SUP to be approved by City Council.

Proposed Use:

The applicant is requesting approval to construct a 60 ft. x 100 ft. x 14 ft. tall (6,000 sq. ft.) accessory building. The applicant is proposing to construct the structure out of metal, and intends to use the accessory building as a multi-purpose area for workout space as well as indoor batting cages.

(12)

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, the Building Inspections department will ensure construction complies with all regulations.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 146 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.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received twenty-two (22) letters of support, and three (3) letters of opposition for the proposed development.

Note: 21 of the 22 letters of support are from one property owner.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Ordinance
3. Location Exhibit
4. Site Layout (Aerial View)

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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

Property ID	Owner's Address	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
172700	ROBERTS SHERLA A	0	LOT 14 BLK 1 COLLEGE HILLS1	109 VASSAR CT	WAXAHACHIE	TX	75185	109 VASSAR CT WAXAHACHIE TX 75185
172781	PATMAN DONALD LEWIS	0	15 1 COLLEGE HILLS1	124 VANDERBILT LN	WAXAHACHIE	TX	75185	107 VASSAR CT WAXAHACHIE TX 75185
172787	BOGGS JAMES & KAREN	0	11 1 COLLEGE HILLS1	108 VASSAR CT	WAXAHACHIE	TX	75185	106 VASSAR CT WAXAHACHIE TX 75185
172788	GARCIA CYNTHIA	0	LOT 12 BLK 1 COLLEGE HILLS1	108 VASSAR CT	WAXAHACHIE	TX	75185	108 VASSAR CT WAXAHACHIE TX 75185
172789	FRANKLIN ROBERT A JR & ADRIENNE E HEDGES	0.2805	LOT 13 BLK 1 COLLEGE HILLS1 0.2805 AC	110 VASSAR CT	WAXAHACHIE	TX	75185	110 VASSAR CT WAXAHACHIE TX 75185
172825	PRUETT WICKI SUE	0.22	5 3 COLLEGE HILLS2 0.22 ACRES	108 VANDERBILT LN	WAXAHACHIE	TX	75185	108 VANDERBILT LN WAXAHACHIE TX 75185
172830	FARMER ROBERT W & LINDA J	0.248	20 2 COLLEGE HILLS2 0.248 ACRES	139 VANDERBILT LN	WAXAHACHIE	TX	75185	139 VANDERBILT LN WAXAHACHIE TX 75185
172831	PEREZ JOSE L & MARIA Y	0.239	LOT 16 BLK 2 COLLEGE HILLS2 .239 AC	316 MEADOW LN	RED OAK	TX	75154	131 VANDERBILT LN WAXAHACHIE TX 75185
172837	PHIPPS TERRY L & IRMA R	0.239	17 2 COLLEGE HILLS2 0.239 ACRES	155 BOZ RD	WAXAHACHIE	TX	75187	133 VANDERBILT LN WAXAHACHIE TX 75185
172838	FUNK KURTIS A JR & KRISTIN E FUNK	0.239	LOT 18 BLK 2 COLLEGE HILLS2 .239 AC	135 VANDERBILT LN	WAXAHACHIE	TX	75185	135 VANDERBILT LN WAXAHACHIE TX 75185
172839	STRALEY KALEB	0.239	LOT 19 BLK 2 COLLEGE HILLS2 .239 AC	137 VANDERBILT LN	WAXAHACHIE	TX	75185	137 VANDERBILT LN WAXAHACHIE TX 75185
172840	ROGERS WALTER E	0.22	LOT 9 BLK 2 COLLEGE HILLS2 .22 AC	117 VANDERBILT LN	WAXAHACHIE	TX	75185	117 VANDERBILT LN WAXAHACHIE TX 75185
172841	ALVARADO ELIZABETH & CHRISTOPHER ANTHONY DELEON	0.22	LOT 10 BLK 2 COLLEGE HILLS2 .22 AC	119 VANDERBILT LN	WAXAHACHIE	TX	75185	119 VANDERBILT LN WAXAHACHIE TX 75185
172842	MILLER BOBBY J L/E BOBBY JOE MILLER REVOCABLE TRUST	0	LOT 11 BLK 2 COLLEGE HILLS2	121 VANDERBILT LN	WAXAHACHIE	TX	75185	121 VANDERBILT LN WAXAHACHIE TX 75185
172843	LOPEZ CHRISTINA D	0.3626	LOT 12 BLK 2 COLLEGE HILLS2 .3626 AC	121 VANDERBILT LN	WAXAHACHIE	TX	75185	123 VANDERBILT LN WAXAHACHIE TX 75185
172844	CRAWFORD WILLIAM A JR	0	13 2 COLLEGE HILLS2	123 VANDERBILT LN	WAXAHACHIE	TX	75185	125 VANDERBILT LN WAXAHACHIE TX 75185
172845	COLEMAN JAMES C & DEBORAH K	0	14 2 COLLEGE HILLS2	127 VANDERBILT LN	WAXAHACHIE	TX	75185	127 VANDERBILT LN WAXAHACHIE TX 75185
172848	HEWHOUSE ERNEST E & EDITH L	0.22	4 2 COLLEGE HILLS2 0.22 ACRES	107 VANDERBILT LN	WAXAHACHIE	TX	75185	107 VANDERBILT LN WAXAHACHIE TX 75185
172847	CASTLEBERRY BERNICE	0.22	LOT 5 BLK 2 COLLEGE HILLS2 .22 AC	109 VANDERBILT LN	WAXAHACHIE	TX	75185	109 VANDERBILT LN WAXAHACHIE TX 75185
172849	TOLE BOBBIE J	0.22	6 2 COLLEGE HILLS2 0.22 ACRES	111 VANDERBILT LN	WAXAHACHIE	TX	75185	111 VANDERBILT LN WAXAHACHIE TX 75185
172849	SMITH DARYL P & ELLEN N	0.22	LOT 7 BLK 2 COLLEGE HILLS2 0.22 AC	113 VANDERBILT LN	WAXAHACHIE	TX	75185	113 VANDERBILT LN WAXAHACHIE TX 75185
172850	SMITH DOYLE L JR & TRENA K	0.22	8 2 COLLEGE HILLS2 0.22 ACRES	115 VANDERBILT LN	WAXAHACHIE	TX	75185	115 VANDERBILT LN WAXAHACHIE TX 75185
172855	DOUGHERTY BRYAN & ROBBY	0.22	LOT 3 BLK 2 COLLEGE HILLS2 .22 AC	510 SYCAMORE ST	WAXAHACHIE	TX	75185	105 VANDERBILT LN WAXAHACHIE TX 75185
172856	THOMPSON MARILYN	0	LOT 34 BLK 1 COLLEGE HILLS1	108 VILLANOVA ST	WAXAHACHIE	TX	75185	108 VILLANOVA CT WAXAHACHIE TX 75185
172857	WILSON DAVID Z & STEPHANIE A	0	35 1 COLLEGE HILLS1	110 VILLANOVA CT	WAXAHACHIE	TX	75185	110 VILLANOVA CT WAXAHACHIE TX 75185
172859	DOUGHERTY KARINDA & JACKIE	0	37 1 COLLEGE HILLS1	107 VILLANOVA ST	WAXAHACHIE	TX	75185	107 VILLANOVA CT WAXAHACHIE TX 75185
172865	HONRUD JASON D & LISA M	0	LOT 33 BLK 1 COLLEGE HILLS1	108 VILLANOVA CT	WAXAHACHIE	TX	75185	108 VILLANOVA CT WAXAHACHIE TX 75185
172866	DOLLAR L W & VERNA CO-TRUSTEES DOLLAR REVOCABLE TRUST	0	LOT 23 BLK 1 COLLEGE HILLS1	108 CLEMON CT	WAXAHACHIE	TX	75185	108 CLEMON CT WAXAHACHIE TX 75185
172867	PETER DONALD H & CYNTHIA ANN	0.2596	LOT 24 BLK 1 COLLEGE HILLS1 .2596 AC	109 CLEMON CT	WAXAHACHIE	TX	75185	110 CLEMON CT WAXAHACHIE TX 75185
172868	NAVARRO MARY E	0	LOT 25 BLK 1 COLLEGE HILLS1	109 CLEMON CT	WAXAHACHIE	TX	75185	109 CLEMON CT WAXAHACHIE TX 75185
172869	MARTIN ROLAND D L/E	0	LOT 26 BLK 1 COLLEGE HILLS1	107 CLEMON CT	WAXAHACHIE	TX	75185	107 CLEMON CT WAXAHACHIE TX 75185
172876	DOLLAR CAROL A	0.44	LOT 22 BLK 1 COLLEGE HILLS1 0.44 AC	1241 N CREEK CIR	WAXAHACHIE	TX	75185	108 CLEMON CT WAXAHACHIE TX 75185
172877	PAGE STELLA E L/E JAMES PAGE	0.281	LOT 12 BLK 8 COLLEGE HILLS4 .281 AC	209 VANDERBILT LN	WAXAHACHIE	TX	75185	209 VANDERBILT LN WAXAHACHIE TX 75185
172878	MILLIKAN RILEY & KYMBERLEE	0.207	LOT 13 BLK 8 COLLEGE HILLS4 .207 AC	207 VANDERBILT LN	WAXAHACHIE	TX	75185	202 VANDERBILT LN WAXAHACHIE TX 75185
172879	RUTENBAR DAVID S & BECKY S	0.207	14 6 COLLEGE HILLS4 0.207 ACRES	204 VANDERBILT LN	WAXAHACHIE	TX	75185	204 VANDERBILT LN WAXAHACHIE TX 75185
172880	TERRY AMY & JERAMIAH	0.207	15 6 COLLEGE HILLS4 0.207 ACRES	208 VANDERBILT LN	WAXAHACHIE	TX	75185	208 VANDERBILT LN WAXAHACHIE TX 75185
172881	HORTON DAVID & BRENDA	0.207	16 6 COLLEGE HILLS4 0.207 ACRES	208 VANDERBILT LN	WAXAHACHIE	TX	75185	208 VANDERBILT LN WAXAHACHIE TX 75185
172912	PATMAN DONALD	0.22	13 3 COLLEGE HILLS2 0.22 ACRES	124 VANDERBILT LN	WAXAHACHIE	TX	75185	124 VANDERBILT LN WAXAHACHIE TX 75185
172913	HARRIS FRANCES	0.22	LOT 14 BLK 3 COLLEGE HILLS2 0.22 AC	126 VANDERBILT LN	WAXAHACHIE	TX	75185	126 VANDERBILT LN WAXAHACHIE TX 75185
172914	RAMOS JAVIER & JACQUELINE OCHOA	0.22	LOT 15 BLK 3 COLLEGE HILLS2 .22 AC	128 VANDERBILT LN	WAXAHACHIE	TX	75185	128 VANDERBILT LN WAXAHACHIE TX 75185
172915	YEE STACEY D	0.259	LOT 16 BLK 3 COLLEGE HILLS2 0.259 AC	130 VANDERBILT LN	WAXAHACHIE	TX	75185	130 VANDERBILT LN WAXAHACHIE TX 75185
172916	DUMAIS CATHLEEN & LARRY B	0.22	LOT 8 BLK 3 COLLEGE HILLS2 .22 AC	114 VANDERBILT LN	WAXAHACHIE	TX	75185	114 VANDERBILT LN WAXAHACHIE TX 75185
172919	FISHER LINDA J	2.296	LOT 9 BLK 3 COLLEGE HILLS2 2.296 AC	116 VANDERBILT LN	WAXAHACHIE	TX	75185	116 VANDERBILT LN WAXAHACHIE TX 75185
172920	HARRIMAN WYMAN	0	10 3 COLLEGE HILLS2	118 VANDERBILT LN	WAXAHACHIE	TX	75185	118 VANDERBILT LN WAXAHACHIE TX 75185
172921	MARTIN TEXAS PROPERTIES LLC	0.2828	LOT 11 BLK 3 COLLEGE HILLS2 .2828 AC	352 ROBINETT RD	WAXAHACHIE	TX	75185	120 VANDERBILT LN WAXAHACHIE TX 75185
172922	MAREK JAMES & LINDA	0.287	LOT 12 BLK 3 COLLEGE HILLS 2 0.287 AC	122 VANDERBILT LN	WAXAHACHIE	TX	75185	122 VANDERBILT LN WAXAHACHIE TX 75185
172926	ANDERSON JOSHUA & ERIKA	0.22	6 3 COLLEGE HILLS 2 0.22 ACRES	110 VANDERBILT LN	WAXAHACHIE	TX	75185	110 VANDERBILT LN WAXAHACHIE TX 75185
172927	LA FAMILLE INVESTMENTS 3 LP	0.22	LOT 7 BLK 3 COLLEGE HILLS2 .22 AC	138 MUSTANG CREEK DR	WAXAHACHIE	TX	75185	112 VANDERBILT LN WAXAHACHIE TX 75185
172964	STROOPE DARLEEN S	0.207	LOT 3 BLK 7 COLLEGE HILLS4 .207 AC	205 VANDERBILT LN	WAXAHACHIE	TX	75185	205 VANDERBILT LN WAXAHACHIE TX 75185
172965	LORD TERRY	0.207	4 7 COLLEGE HILLS4 0.207 ACRES	207 VANDERBILT LN	WAXAHACHIE	TX	75185	207 VANDERBILT LN WAXAHACHIE TX 75185
172966	JOHNSON SHERRY	0.207	LOT 5 BLK 7 COLLEGE HILLS4 .207 AC	900 WINDING CREEK DR	OAK LEAF	TX	75154	209 VANDERBILT LN WAXAHACHIE TX 75185
172967	JAMES KEVIN & KAYLA J REED	0.207	LOT 25 BLK 7 COLLEGE HILLS4 0.207 ACRES	213 VANDERBILT LN	WAXAHACHIE	TX	75185	211 VANDERBILT LN WAXAHACHIE TX 75185
172968	BELCH JAMES L LIVING TRUST JAMES LEE BELCH TRUSTEE	0.2668	LOT PT 7 BLK 7 COLLEGE HILLS4 0.2668 AC	213 VANDERBILT LN	WAXAHACHIE	TX	75185	213 VANDERBILT LN WAXAHACHIE TX 75185
172970	SMITH PENNY R	0.207	17 6 COLLEGE HILLS 4 0.207 ACRES	210 VANDERBILT LN	WAXAHACHIE	TX	75185	210 VANDERBILT LN WAXAHACHIE TX 75185
172971	DIXON M MAX & CAROLYN A	0.27	PT 18 6 COLLEGE HILLS4 0.27 ACRES	212 VANDERBILT LN	WAXAHACHIE	TX	75185	212 VANDERBILT LN WAXAHACHIE TX 75185
172972	ELAM STEVEN	0.275	LOT 1 BLK 7 COLLEGE HILLS4 .275 AC	P O BOX 2022	WAXAHACHIE	TX	75185	201 VANDERBILT LN WAXAHACHIE TX 75185
172973	SLOVAK STEVEN M	0.207	LOT 2 BLK 7 COLLEGE HILLS4 .207 AC	203 VANDERBILT LN	WAXAHACHIE	TX	75185	203 VANDERBILT LN WAXAHACHIE TX 75185
176093	MC CUTCHAN SAMUEL	0.3441	LOT 11AR BLK 3 UNIVERSITY-REV .3441 AC	408 E UNIVERSITY AVE	WAXAHACHIE	TX	75185	408 E UNIVERSITY AVE WAXAHACHIE TX 75185
176095	MC CUTCHAN SAMUEL B	0.207	14 15A 3 UNIVERSITY 0.207 ACRES	408 E UNIVERSITY AVE	WAXAHACHIE	TX	75185	408 E UNIVERSITY AVE WAXAHACHIE TX 75185
176096	MC CUTCHAN SAMUEL B	0.138	15B 3 UNIVERSITY 0.138 ACRES	408 E UNIVERSITY AVE	WAXAHACHIE	TX	75185	404 E UNIVERSITY AVE WAXAHACHIE TX 75185
176097	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.172	LOT 18A & 17A BLK 3 UNIVERSITY-REV 0.172 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75185	1014 SYCAMORE ST WAXAHACHIE TX 75185
176098	RICHARD BONNIE S	0.172	LOT 6 BLK 3 UNIVERSITY-REV .172 AC	422 E UNIVERSITY AVE	WAXAHACHIE	TX	75185	422 E UNIVERSITY AVE WAXAHACHIE TX 75185
176099	SARVER MARIA	0.172	7 3 UNIVERSITY 0.172 ACRES	420 E UNIVERSITY AVE	WAXAHACHIE	TX	75185	420 E UNIVERSITY AVE WAXAHACHIE TX 75185
176100	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.172	LOT 8 BLK 3 UNIVERSITY-REV 0.172 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75185	418 E UNIVERSITY AVE WAXAHACHIE TX 75185
176101	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.52	LOT 9AR BLK 3 UNIVERSITY-REV .52 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75185	412 E UNIVERSITY AVE WAXAHACHIE TX 75185
176103	SAOU FINANCIAL SERVICES INC	0.172	LOT 1 BLK 3 UNIVERSITY-REV 0.172 AC	1000 SYCAMORE ST	WAXAHACHIE	TX	75185	402 E UNIVERSITY AVE WAXAHACHIE TX 75185
176104	CASTILLO ROBERT	0.172	2 3 UNIVERSITY 0.172 ACRES	430 E UNIVERSITY AVE	WAXAHACHIE	TX	75185	430 E UNIVERSITY AVE WAXAHACHIE TX 75185
176105	PARTIN HAROLD & GWANDA, PARTIN REVOC TRUST	0.172	3 3 UNIVERSITY 0.172 ACRES	7617 PALO DURO AVE NE	ALBUQUERQUE	NM	87110	428 E UNIVERSITY AVE WAXAHACHIE TX 75185
176106	SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY	0.172	LOT 4 BLK 3 UNIVERSITY-REV 0.172 AC	1200 SYCAMORE ST	WAXAHACHIE	TX	75185	424 E UNIVERSITY AVE WAXAHACHIE TX 75185
176107	MAR TRINEZ MAURIEL SR	0.172	5 3 UNIVERSITY 0.172 ACRES	424 E UNIVERSITY AVE	WAXAHACHIE	TX	75185	424 E UNIVERSITY AVE WAXAHACHIE TX 75185
176138	JARAMILLO MARCO JO & BARBARA	0.344	3 4 5 UNIVERSITY 0.344 ACRES	3011 S HIGHWAY 77	WAXAHACHIE	TX	75185	324 UNIVERSITY AVE WAXAHACHIE TX 75185
176148	MULTIPLE OWNERS	0.344	LOT 4 2 BLK 5 UNIVERSITY-REV 0.344 AC					1123 SYCAMORE ST WAXAHACHIE TX 75185
176171	HUMBERT JENIFER R	0.172	LOT 34 BLK 3 UNIVERSITY-REV .172 AC	431 CYNISCA ST	WAXAHACHIE	TX	75185	431 CYNISCA ST WAXAHACHIE TX 75185
176172	VIRGINIA HOLDINGS, JEFF CALVERY OWNER	0.344	LOT 1 2 BLK 4 UNIVERSITY-REV .344 AC	3146 SPRINGFIELD AVE	LANCASTER	TX	75134	330 E UNIVERSITY AVE WAXAHACHIE TX 75185
176173	G & H HOLDINGS LLC SERIES 3	0.172	LOT 3 BLK 4 UNIVERSITY-REV .172 AC	209 E MAIN ST	WAXAHACHIE	TX	75185	328 E UNIVERSITY AVE WAXAHACHIE TX 75185
176184	BURKS KATY ANN	0.172	16B 17B 3 UNIVERSITY 0.172 ACRES	208 KINGS CT	WAXAHACHIE	TX	75185	1012 SYCAMORE ST WAXAHACHIE TX 75185

(18)

Case Number: ZDC-176-2020

City Reference: 172840

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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

RECEIVED JAN 14 2021

Comments:

Fay Rogers
Signature

1-11-21
Date

Fay Rogers - OWNER
Printed Name and Title

117 Vanderbilt
Address

(12)

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.

Case Number: **ZDC-176-2020**

City Reference: 172877

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, January 20, 2021** 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

RECEIVED JAN 20 2021

Comments:

S. Evelyn Pace
Signature

Janis Pace
S. Evelyn Pace
Printed Name and Title
Janis Pace

1-11-2021
Date

200 Vanderbilt Ln
Address
Waxahachie, TX

(12)

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.

City Reference: 172901

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, January 20, 2021** 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

RECEIVED JAN 25 2021

Comments:

Needs to be residential


Signature

1/17/21
Date

Kevin Helms
Printed Name and Title

211 Vanderbilt
Address

(12)

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

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

(12)

RECEIVED JAN 25 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

STARKS HEATHER R
129 VANDERBILT LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall. 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 172835

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, January 20, 2021** 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:

Opposed until we are made aware
of what exactly the building is/size/purpose.

Heather Starks

Signature

1/19/21

Date

Heather Starks

Printed Name and Title

129 Vanderbilt Ln.
Waxahachie, TX
75105

Address

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

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

(12)



City of Waxahachie, Texas RECEIVED JAN 14 2021
Notice of Public Hearing
Case Number: ZDC-176-2020

JETER DONALD H & CYNTHIA ANN
110 CLEMSON CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 172867

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

I oppose the construction of said Accessory Building as there is no indication of the specific location to build.

Signature

Rev. Donald H. Jeter
Printed Name and Title

Date

1/14/2021
110 Clemson Ct.
Address Waxahachie

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

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

(12)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020



SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

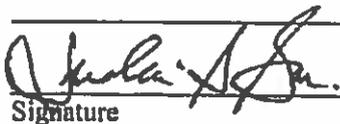
City Reference: 176494

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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



(12)

RECEIVED JAN 12 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

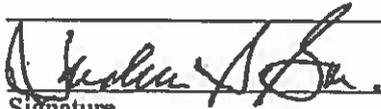
City Reference: 176493

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

RECEIVED JAN 12 2021

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

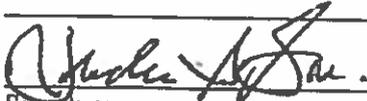
City Reference: 176496

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

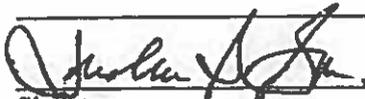
City Reference: 176503

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020



SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

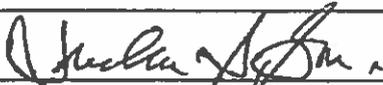
City Reference: 176504

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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



(12)

RECEIVED JAN 1 2 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 176505

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

RECEIVED JAN 12 2021

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

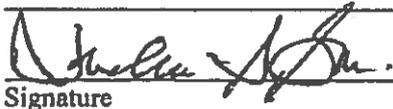
City Reference: 176820

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

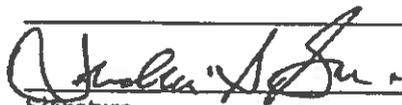
City Reference: 176815

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, January 20, 2021 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)



RECEIVED JAN 12 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020



**SOUTHWESTERN BIBLE INSTITUTE
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

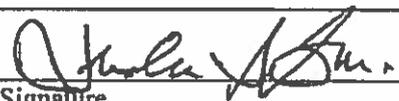
City Reference: 193782

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

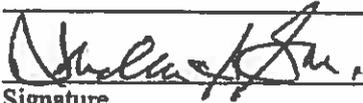
City Reference: 176829

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

RECEIVED JAN 12 2021

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

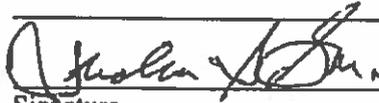
City Reference: 197700

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 12, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)

RECEIVED JAN 12 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020



SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

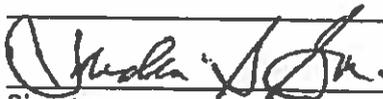
City Reference: 207380

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature

January 12, 2021

Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.

Address
Waxahachie, TX 75165

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

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



(12)

RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

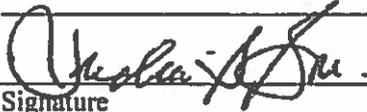
City Reference: 176148

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)

RECEIVED JAN 14 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020



**SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 176492

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

Frederic S. Gore
Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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



(12)

RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 176491

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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



(12)

RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 176265

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

Frederic S. Gore
Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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



(12)

RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

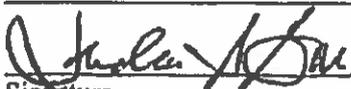
City Reference: 176106

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)

RECEIVED JAN 14 2021



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

SAGU FINANCIAL SERVICES INC
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 176103

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

Frederic S. Gore
Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

RECEIVED JAN 14 2021

SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

City Reference: 176101

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* 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:

Frederic S. Gore
Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(12)



RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

**SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for Accessory Building (Non-Residential) use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)

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

Case Number: ZDC-176-2020

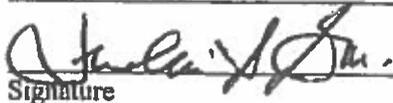
City Reference: 176100

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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



(12)

RECEIVED JAN 14 2021

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-176-2020

**SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY
1200 SYCAMORE ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 1, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Cliff Bartosh, SAGU, for a Specific Use Permit (SUP) for **Accessory Building (Non-Residential)** use within a Planned Development-General Retail zoning district located at 1200 Sycamore Street (Property ID 193782) - Owner: **SOUTHWESTERN BIBLE INSTITUTE (ZDC-176-2020)**

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

Case Number: ZDC-176-2020

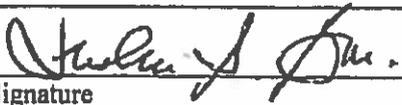
City Reference: 176097

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, January 20, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

January 14, 2021
Date

Dr. Frederic S. Gore, VP for Business & Finance
Printed Name and Title

1200 Sycamore St.
Address
Waxahachie, TX 75165

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

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

(13)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT NON-RESIDENTIAL ACCESSORY BUILDING USE WITHIN A PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) ZONING DISTRICT, LOCATED AT 1200 SYCAMORE STREET, PROPERTY ID 193782, BEING ABSTRACT 148 OF THE WM BASKINS SURVEY AND BLOCKS 1-10 AND 18A AND 19A AND 20A OF BLOCK 2 OF UNIVERSITY ADDITION, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments PD-GR; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-176-2020. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from PD-GR to PD-GR, with an SUP in order to permit a non-residential accessory building exceeding 700 square feet on the following property: Abstract 148 of the WM Baskins Survey and Blocks 1-10 and 18A and 19A and 20A of Block 2 of University Addition, which is shown on Exhibit A and Site Layout Plan attached as Exhibit B.

SPECIFIC USE PERMIT

Purpose and Intent

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

(13)

Specific Use Permit

FOR OPERATION OF A **SPECIFIC USE PERMIT FOR A +700 SQUARE FOOT NON-RESIDENTIAL ACCESSORY BUILDING USE IN THE PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) DISTRICT**; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number ZDC-176-2020.
2. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit and Exhibit B – Site Layout Plan.
3. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
4. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
5. If approved, City Council reserves the right to review the Specific Use Permit at any point in the future, if needed.

Compliance

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

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

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

PASSED, APPROVED AND ADOPTED on this 1st day of February, 2021.

(13)

MAYOR

ATTEST:

City Secretary

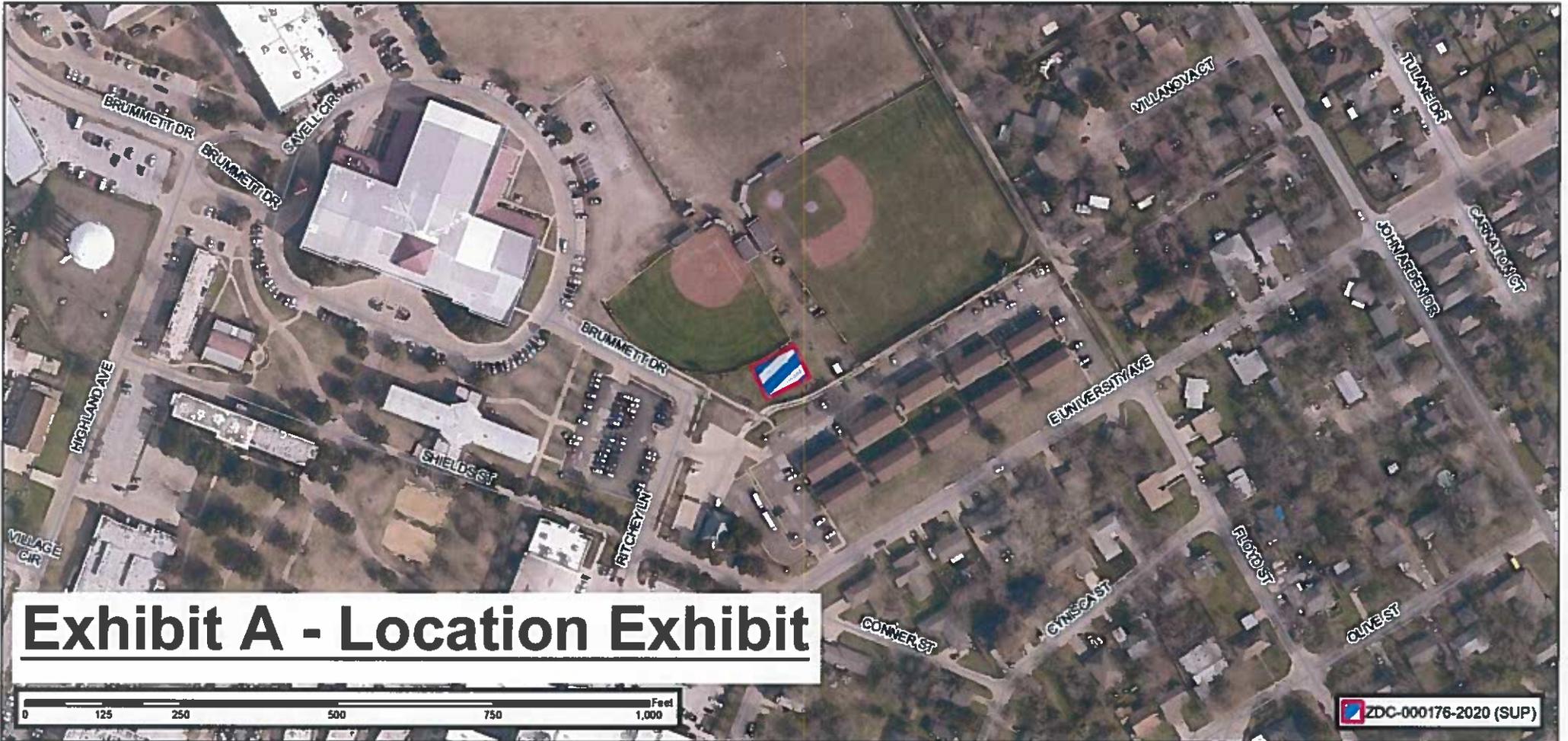


Exhibit A - Location Exhibit

(18)



Exhibit B - Site Layout Plan

18

(14)

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-175-2020



MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 26, 2021, the Commission voted 6-0 to recommend approval of case number ZDC-175-2020, subject to staff comments.

CAPTION

Public Hearing on a request by Joshua Ward for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 125 Homestead Lane (Property ID 269684) - Owner: JOSHUA WARD & SABRINA HULL-WARD (ZDC-175-2020)

APPLICANT REQUEST

The applicant is requesting to construct a +700 sq. ft. (3,100 sq. ft.) accessory structure in the rear of a single family property.

CASE INFORMATION

Applicant: Joshua Ward
Property Owner(s): Joshua Ward and Sabrina Hull-Ward
Site Acreage: 1.118 acres
Current Zoning: Planned Development-23-Single-Family-1
Requested Zoning: Planned Development-23-Single Family-1 with SUP

SUBJECT PROPERTY

General Location: 125 Homestead Ln.
Parcel ID Number(s): 269684
Existing Use: Single Family Residence
Development History: N/A

(14)

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-23-SF1	Homestead Estates
East	PD-23-SF1	Homestead Estates
South	PD-23-SF1	Homestead Estates
West	PD-23-SF1	Homestead Estates

Future Land Use Plan: Estate Residential

Comprehensive Plan: This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan: The subject property is accessible via Homestead Ln.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to construct a +700 sq. ft. (3,100 sq. ft.) accessory structure in the rear of a single family property located at 125 Homestead Ln. Ellis County Appraisal District states that the primary structure on the property is 3,019 sq. ft. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a SUP to be approved by City Council.

Proposed Use:

The applicant is requesting approval to construct a 3,100 sq. ft. (17 ft. tall) accessory structure. Of the 3,100 sq. ft. total structure, 1,600 sq. ft. will be used as covered patio space. The applicant is proposing to construct the structure out of metal, and intends to use the accessory structure for storage of supplies and vehicles, and workshop space. During site visits, staff noticed there are other accessory

(14)

structures within the surrounding neighborhood area, yet none existing of comparable size. However, it should be noted that City Council voted 5-0 to approve a 2,400 sq. ft. accessory structure at 101 Homestead Ln. at the December 21, 2020 Planning and Zoning meeting. At the time of this report (1/27/2021), staff has yet to receive any correspondence from the surrounding neighbors.

CHANGES FROM THE 1/26/2021 PZ MEETING

- Per the Planning and Zoning Commission recommendation, the applicant has agreed to reduce the structure from 3,600 sq. ft. to 3,100 sq. ft.
 - o The building for the accessory structure shall not exceed 1,500 sq. ft. The covered patios shall not exceed a total of 1,600 sq. ft.

Staff Note: It should be noted that the exhibits presented in the City Council packet do not include the approved changes by the Planning and Zoning Commission. If approved, the applicant intends to have all revised exhibits submitted to staff before applying for any building permits.

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, the Building Inspections department will ensure construction complies with all regulations.

PUBLIC NOTIFICATIONS

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

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. The total square footage of the accessory structure shall be 3,100 sq. ft. The building for the accessory structure shall not exceed 1,500 sq. ft. The covered patios shall not exceed a total of 1,600 sq. ft.
 2. The structure shall not be used as a dwelling.
 3. A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.

Staff Note: It should be noted that the exhibits presented in the City Council packet do not include the approved changes by the Planning and Zoning Commission. If approved, the applicant intends to have all revised exhibits submitted to staff before applying for any building permits.

ATTACHED EXHIBITS

1. Ordinance
2. Location Exhibit
3. Site Plan
4. Elevation/Façade Plan

(14)

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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

(15)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 SQUARE FOOT ACCESSORY STRUCTURE USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF1) ZONING DISTRICT, LOCATED AT 125 HOMESTEAD LANE, PROPERTY ID 269684, BEING LOT 5, BLOCK B, HOMESTEAD ESTATES, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments PD-23-SF1; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-175-2020. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from PD-23-SF1 to PD-23-SF1, with an SUP in order to permit an accessory structure exceeding 700 square feet on the following property: Lot 5, Block B, Homestead Estates, which is shown on Exhibit A, Site Layout Plan attached as Exhibit B, and the Elevation/Façade Plan attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

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

(15)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A +700 SQUARE FOOT ACCESSORY STRUCTURE USE IN THE PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF1) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number ZDC-175-2020.
2. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit, Exhibit B – Site Layout Plan, and Exhibit C – Elevation/Façade Plan.
3. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
4. The total square footage of the accessory structure shall be 3,100 sq. ft. The building for the accessory structure shall not exceed 1,500 sq. ft. The covered patio shall not exceed 1,600 sq. ft.
5. A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.
6. The accessory structure shall not be used as a dwelling.
7. 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.
8. If approved, City Council reserves the right to review the Specific Use Permit at any point in the future, if needed.

Compliance

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

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

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

PASSED, APPROVED AND ADOPTED on this 1st day of February, 2021.

(15)

MAYOR

ATTEST:

City Secretary



Exhibit A - Location Exhibit

0 150 300 600 900 1,200 Feet

ZDC-000175-2020 (SUP)

(15)

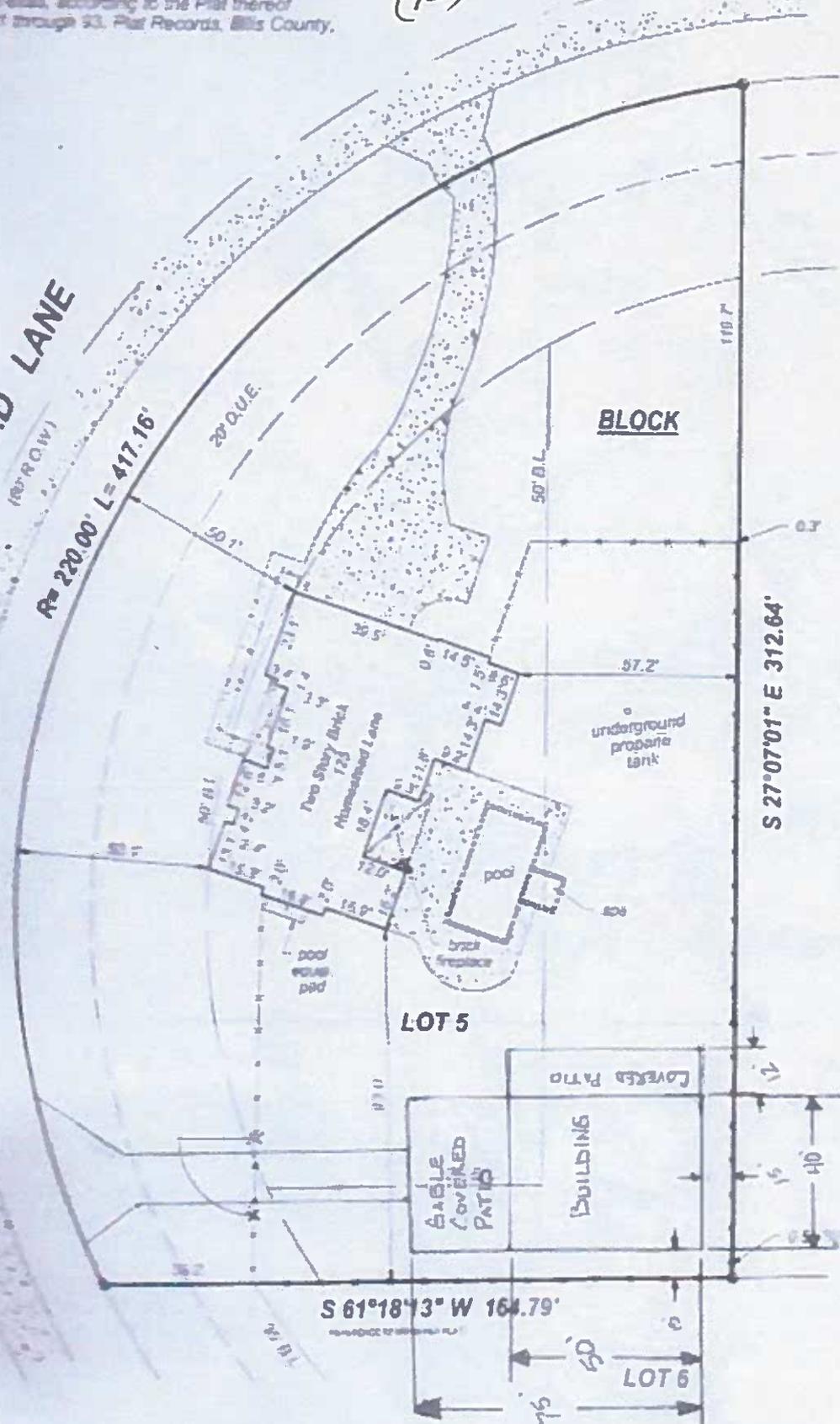
(15)

15. HOMESTEAD ESTATES, an addition to the City of Waco, Texas, according to the Plat thereof as J. Bills 31 through 33, Plat Records, Bills County.



SCALE 1" = 40'
0 10 20
GRAPHIC SCALE (IN FEET)

HOMESTEAD LANE
R= 220.00' L= 417.16'



125 HOMESTEAD LN
WAKAHACHIE, TX 75165

LOT 4

LOT 5

COVERED PATIO

TABLE COVERED PATIO

BUILDING

pool

underground propane tank

pool

S 61°18'13" W 164.79'

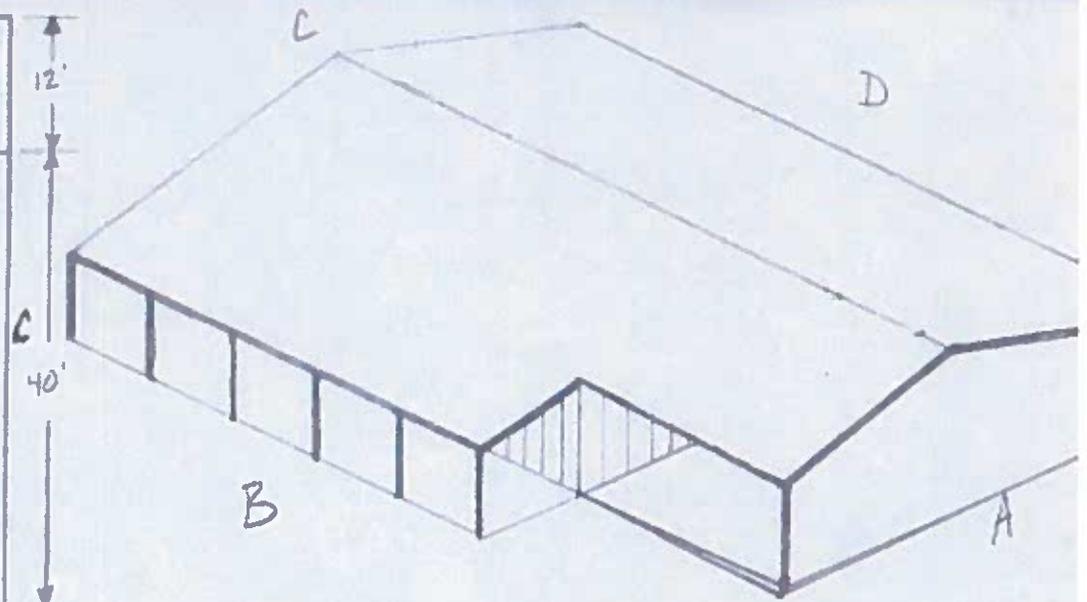
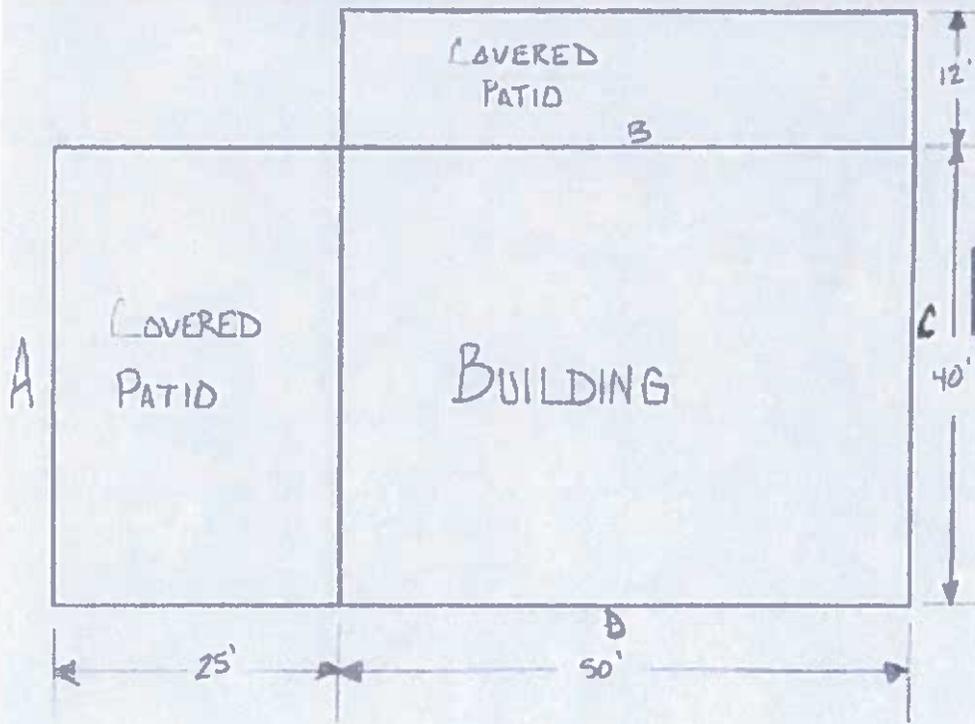
LOT 6

Light Company recorded DIRECT.

Light Company recorded DIRECT.

Light Company recorded DIRECT.

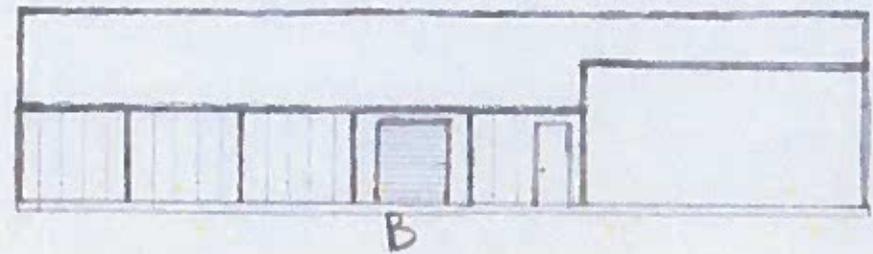
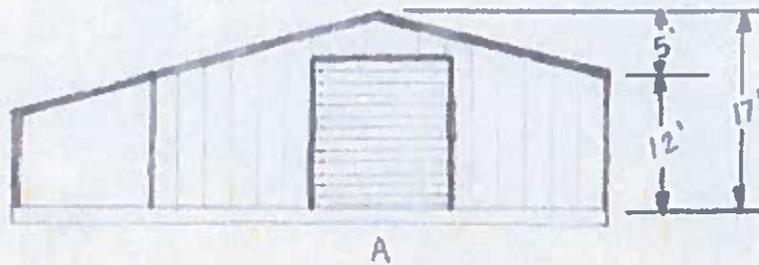
Exhibit B - Site Layout Plan



125 HOMESTEAD LN
WAXAHACHIE TX 75165

(15)

Exhibit C - Elevation/Facade Plan



(16)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-182-2020

MEETING DATE(S)

Planning & Zoning Commission: January 26, 2021

City Council: February 1, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 26 2021, the Commission voted 6-0 to recommend denial of case number ZDC-182-2020.

Staff Note: The Planning and Zoning Commission voted to recommend denial for the proposed Zoning Change due to the proposed use not being consistent with the current zoning (Single Family-3 Residential). However, after receiving new information, staff determined that the use of a duplex was allowed per the 1961 City of Waxahachie Zoning Ordinance (Ord. 0726). Due to this information, the subject property is considered "existing legal non-conforming", and staff is updating the recommendation from "Denial" to "Approval, per staff comments".

CAPTION

Public Hearing on a request by Joseph Ray, D&R Solutions LLC, for a **Zoning Change** from a Single-Family Residential-3 zoning district to Two-Family Residential-Duplex (2F), located at 200 Peters Street (Property ID 283063) - Owner: D & R SOLUTIONS LLC (ZDC-182-2020)

APPLICANT REQUEST

The applicant is requesting a zoning change from Single Family-3 (SF3) to Two-Family Residential (2F) to allow a duplex.

Staff Note: Due to receiving new information regarding the property, staff suggests that the property is rezoned from Single Family-3 to Planned Development-Single Family-3.

CASE INFORMATION

Applicant: Joseph Ray, D&R Solutions, LLC

Property Owner(s): D&R Solutions, LLC

Site Acreage: 0.292 acres

Current Zoning: Single Family-3 (SF3)

Requested Zoning: Two-Family Residential (2F)
*Staff suggests that the property be rezoned to Planned Development-Single Family-3.

(16)

SUBJECT PROPERTY

General Location: 200 Peters St.
Parcel ID Number(s): 283063
Existing Use: Single Family Home
Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF3	Single Family Residences
East	SF3	Single Family Residences
South	SF3	Single Family Residences
West	SF3	Single Family Residences

Future Land Use Plan: Low Density Residential
Comprehensive Plan: This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie’s current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.
Thoroughfare Plan: The subject property is accessible via Peters St. and Wyatt St.

Site Image:



PLANNING ANALYSIS

Proposed Use:

The applicant is applying for a zoning change to rezone 200 Peters St. from Single Family-3 to Two Family zoning to allow the use of a duplex. Currently, the applicant has renovated nearly 75% of the property to help enhance the subject property. If a zoning change is granted by City Council, the applicant intends to rent the property to future tenants and remain the owner of the property.

(16)

Analysis:

On December 11, 2020, the applicant (D&R Solutions) met with planning staff to inform them that they purchased a property located at 200 Peters St. on November 30, 2020. The applicant further explained to staff that the property was purchased through the MLS (Multiple Listing Service) system for the intended use of a duplex (as advertised in the MLS system). Once staff informed the applicant that the current zoning for the property (Single Family-3) does not allow the use for a duplex, the applicant chose to apply for a zoning change on December 16, 2020.

Prior to applying for a zoning change, the applicant informed staff that construction on the property had already begun. Per the City of Waxahachie Building Inspections Department, the applicant applied for various permits such as an Alteration/Remodel permit and Fence/Wall permit on December 7, 2020. The applicant also applied for another Alteration/Remodel permit on January 4, 2021. At the time of this report (1/28/2021), no permits have been released to the applicant for construction approval. However, it should be noted that the applicant has currently made nearly \$60,000 worth of changes to help rehab the property.

Due to the structure originally being constructed in the 1950's, and predating the Building Inspections permitting system, staff does not have any original information or building permits for the property. In addition, the existing detached garage facing Wyatt St. does not meet the 5ft. setback requirement for the Single Family-3 zoning district.

At the January 26, 2021 Planning and Zoning meeting, the Planning and Zoning Commission voted 6-0 to recommend denial for the proposed Zoning Change due to the proposed use not being consistent with the current zoning (Single Family-3 Residential). However, after receiving new information, staff determined that the use of a duplex was allowed per the 1961 City of Waxahachie Zoning Ordinance (Ord. 0726). Due to this information, the subject property is considered "existing legal non-conforming" and allowed per the 1961 Zoning Ordinance.

Though staff will update the recommendation from "Denial" to "Approval", staff suggests that the property is rezoned from Single Family-3 to Planned Development-Single Family-3 opposed to Two Family Residential. Due to no duplex structures being located within the immediate surrounding neighborhood area, staff suggests that if the use of a duplex ceases to exist for six (6) months or more, or if fifty percent (50%) or more of the structure is destroyed for any reason, then the property shall revert to the use of a single family residence.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 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.

NEIGHBORHOOD CORRESPONDENCE

Though no official Property Owner Notification Responses were submitted to staff, the applicant received five (5) signatures of support for the duplex structure.

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.

(16)

- Approval, per the following comments:**
1. Before the duplex is occupied by any tenants, the applicant shall receive all required building permits from the Building Inspections Department, as well as pass all necessary inspections.
 2. If 50% or more of the structure is destroyed in any way, or if the use of a duplex ceases to exist for 6 months or more, then the property shall revert to the use of a single family residence.

ATTACHED EXHIBITS

1. Ordinance
2. Location Exhibit
3. Site Layout
4. Before/After (Current) Photos
5. Neighborhood Correspondence
6. City of Waxahachie 1961 Zoning Ordinance (Use Chart)/Zoning Map

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

(16)

BEFORE PHOTOS



(16)



(16)

CURRENT (AFTER) PHOTOS



(16)



(16)



(16)



"Education in the community is our foundation."

Our company D&R Solutions purchased the property located at 200 Peters Waxahachie, TX 75165 on November 30, 2020 from New Western Acquisitions. The property was sold to us with zoning issues/electrical issues that were not revealed before we bought the property. We have invested \$60,000 into the property to bring it up to code including a complete rehab on the inside of both units that are a part of the duplex as well as the outside. We are making this request due to the amount of time and resources that have went into this project as well as the value of this being zoned property will add to the community we live in. Will you support us in agreeing to the zoning change that can increase the value in our community.

Name	Address
Jahmal Hall	1300 Wyatt St Waxahachie, TX 75165
MARK SERINO <i>[Signature]</i>	215 PETERS ST waxahachie
<i>[Signature]</i>	115 Peters st TX 75165
Regina Creamean S	101 Peters ST Waxahachie, TX 75165
Reyna Martinez	100 - Peters st

[Handwritten note on a yellow sticky note]

ZONING ORD. 1961
(ORD. 0726)

(16)
-6-

Not Updated Until
10/28/71 Ord. 1035

SECTION 7

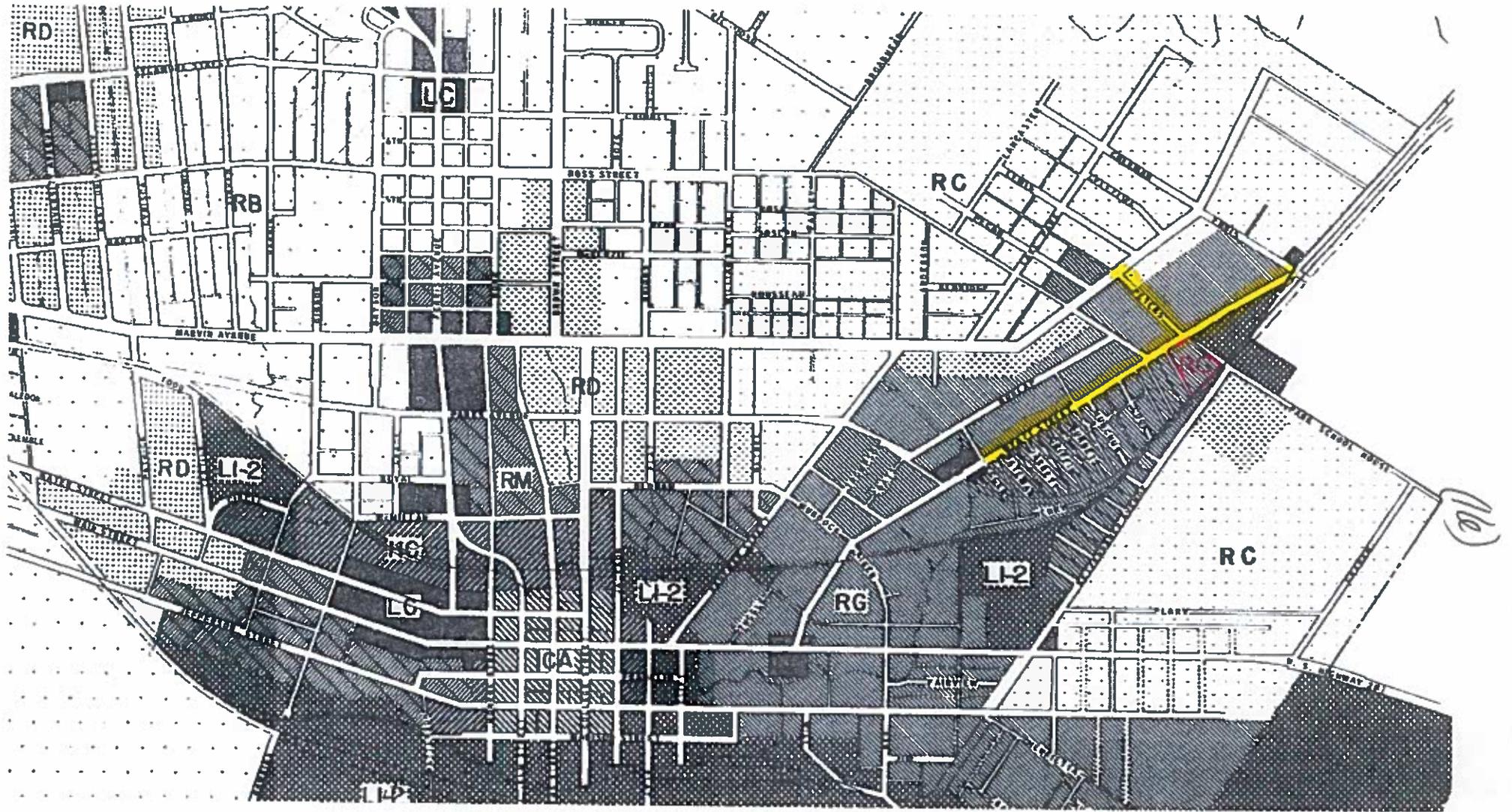
USE OF LAND & BUILDINGS

A. Land and buildings in each of the following classified Districts may be used for the specified uses for said Districts. No land shall hereafter be used and no building or structure shall hereafter be erected, altered or converted for any other use than those specified for the District in which it is located.

TYPE OF USE	RA	RB	RC	RD	RG	RM	LC	CA	HC	LI-1	LI-2	HI	PD
	ONE-FAMILY DWELLING DISTRICT	ONE-FAMILY DWELLING DISTRICT	ONE-FAMILY DWELLING DISTRICT	TWO-FAMILY DWELLING DISTRICT	GENERAL RESIDENCE DISTRICT	MULTIPLE FAMILY DWELLING	LOCAL COMMERCIAL DISTRICT	CENTRAL AREA DISTRICT	HEAVY COMMERCIAL DISTRICT	LIGHT INDUSTRIAL DISTRICT ONE	LIGHT INDUSTRIAL DISTRICT TWO	HEAVY INDUSTRIAL DISTRICT	PLANNED DEVELOPMENT DISTRICT
PRIMARY RESIDENTIAL USES													
One-Family Dwelling													
Two-Family Dwelling													
Multiple-Family or Apartment Building													
Apartment Hotel													
Community Unit Development (1)													
Boarding House													
Rooming House													
Trailer Camp or Mobile Home Park					SP	SP		SP					
USES													
Airport, Helipad or Landing Field	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Cemetery or Mausoleum	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Church or Rectory													
City Hall or City Auditorium	SP	SP	SP	SP									
College, University or Private School (2)	SP	SP	SP	SP									
Country Club (private) with Golf Course	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Convent or Monastery	SP	SP	SP	SP									
Day Camp (3)	SP	SP	SP	SP									
Day Nursery or Kindergarten													



City of Waxahachie 1961 Zoning Ordinance Use Chart



City of Waxahachie 1961 Zoning Map Layout

(17)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF3), TO ALLOW A DUPLEX RESIDENTIAL DEVELOPMENT, LOCATED AT 200 PETERS STREET, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.292 ACRES, KNOWN AS PROPERTY ID 283063, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a Zoning Change, has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-182-2020. 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 SF3 to PD-SF3; 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 SF3 to PD-SF3, in order to facilitate development of the subject property in a manner that allows duplex residential development on the following property: Property ID 283063, which is shown on Exhibit A, and in accordance with the Site Layout shown as Exhibit B.

ZONING CHANGE

Purpose and Intent

The purpose of this zoning change is to develop a duplex 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 subject property shall adhere to the rules and regulations set forth in this ordinance.

(17)

Development Regulations

1. The development shall conform as approved by the City Council under case number ZDC-182-2020.
2. If 50% or more of the structure is destroyed in any way, or if the use of a duplex ceases to exist for 6 months or more, then the property shall revert to the use of a single family residence and meet the requirements of the Single Family-3 zoning district.
3. Before the duplex is occupied by any tenants, the applicant shall receive all required building permits from the City of Waxahachie Building Inspections Department, as well as pass all necessary inspections.
4. Where regulations are not specified in this ordinance, the regulations of Single Family-3 (SF3) zoning of the City of Waxahachie Zoning Ordinance shall apply to this development.
5. 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.

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

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

PASSED, APPROVED, AND ADOPTED on this 1st day of February, 2021.

MAYOR

ATTEST:

City Secretary

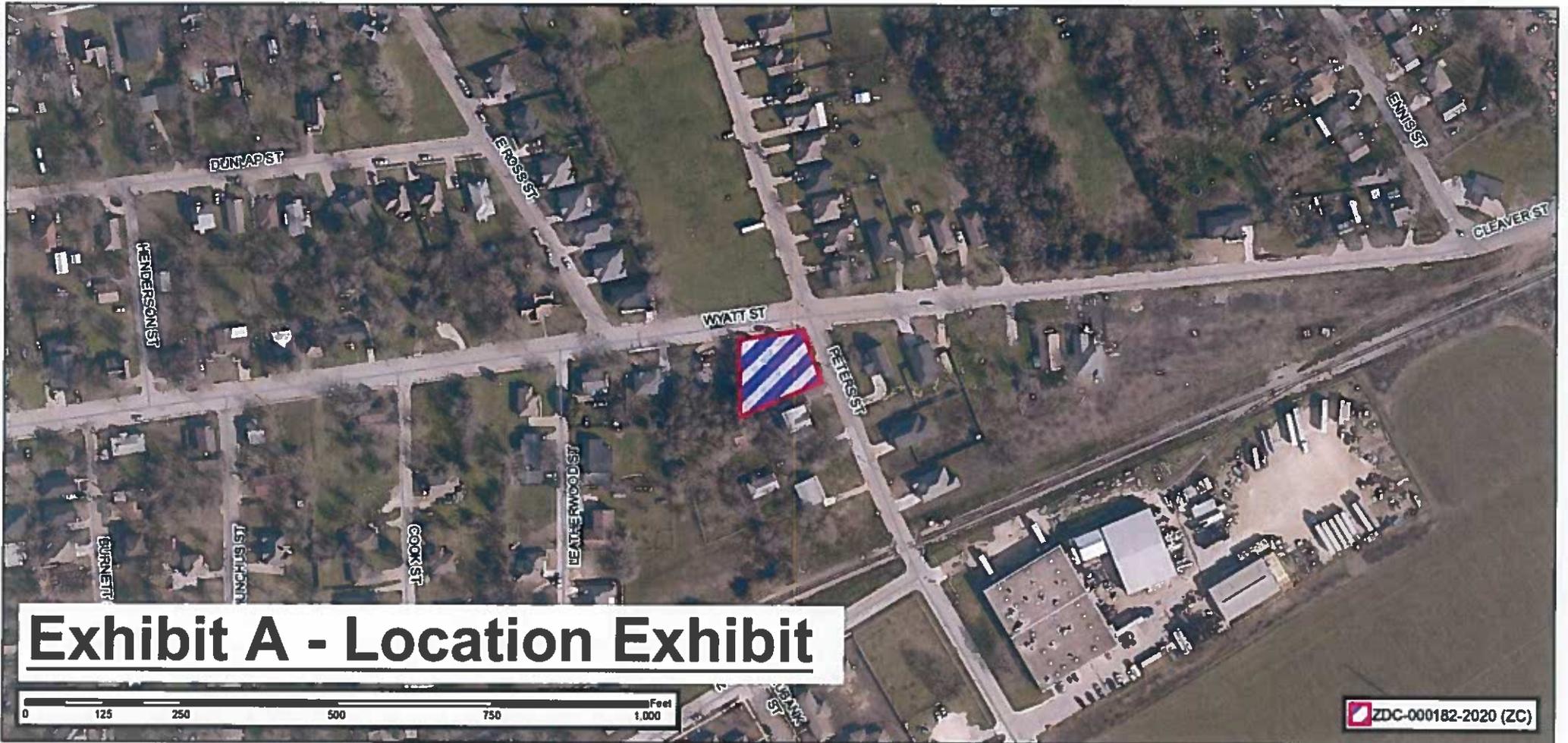


Exhibit A - Location Exhibit

ZDC-000182-2020 (ZC)

(6)

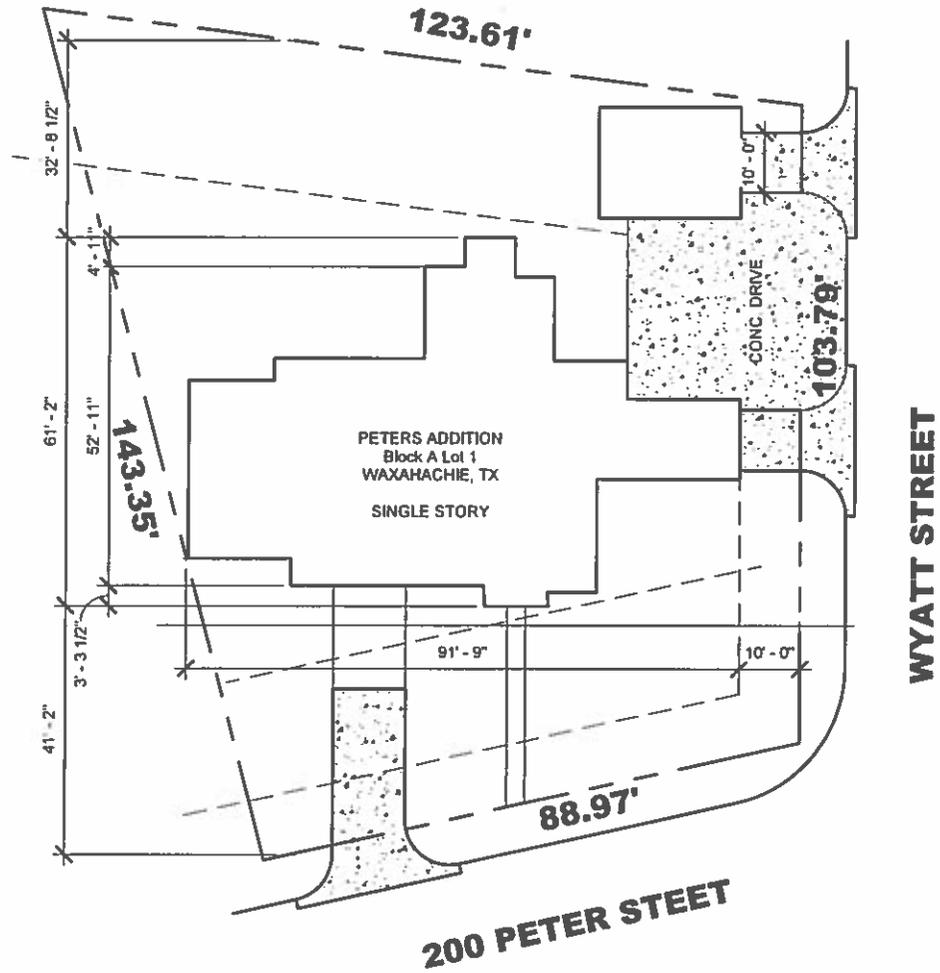


Exhibit B - Site Layout Plan

(17)

(18-20)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager 
Date: January 22, 2021
Re: ZDC-179-2020 – Dominion Park

On January 22, 2021, the applicant requested to continue case number ZDC-179-2020 from the January 26, 2021 Planning and Zoning Commission meeting agenda and the February 1, 2021 City Council meeting agenda to the February 9, 2021 Planning and Zoning Commission meeting agenda, and the February 15, 2021 City Council meeting agenda.

(21)



Memorandum

To: Honorable Mayor and City Council

From: Michael Scott, City Manager 

Thru:

Date: January 25, 2021

Re: Sterrett Road Municipal Management District Resolution

The February 1st City Council Agenda will include a request from developer Clayton Snodgrass for the approval of a resolution not objecting to the creation of a Municipal Management District ("MMD"). An MMD is a separate political subdivision of the state that requires approval of the State Legislature. The request is being made so that Mr. Snodgrass can introduce legislation for approval of the MMD in the current State Legislative Session.

The MMD is being requested as a financing tool to fund development and on-going operation expenses associated with the development of nearly 1,000 acres north of the City generally around the vicinity of Sterrett Road. The preliminary project plan calls for more than 2,000 single family units of varying sizes, multi-family units, and commercial/retail and open spaces. This project would be developed as an ETJ development that connects to City sanitary sewer and is proposed to contract for City Public Safety services. These and other provisions have not been fully discussed and vetted and as such, a staff recommendation is not being made at this point.

The requested resolution of non-opposition includes language so as to not obligate the City of support of this project until such time that we are in agreement with the associated terms of development and operation. Again, this resolution allows for the introduction of legislation to authorize the creation of the MMD this Legislative Session.

(21)

Mr. Snodgrass will make a presentation at the Council Briefing Session to explain the project, how a Municipal Management District works and the justification of an MMD for his project. The City Attorney has reviewed and modified the accompanying resolution that is being presented for consideration.

(21)

CITY OF WAXAHACHIE

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS, MAKING FINDINGS REGARDING THE CREATION OF THE STERRETT ROAD MUNICIPAL MANAGEMENT DISTRICT THROUGH ACT OF THE 87TH LEGISLATURE OF THE STATE OF TEXAS.

WHEREAS, Sterrett Road Partners, LP ("Developer"), owns approximately 860.753 acres of undeveloped or underdeveloped land within the extraterritorial jurisdiction of the City of Waxahachie, Texas ("City"), which the Developer intends to develop as a master-planned residential community ("Development");

WHEREAS, the Developer has proposed the creation of the Sterrett Road Municipal Management District ("District") which, if created, could provide a mechanism to finance public improvements within the Development; and

WHEREAS, the City is not in opposition to the introduction and passage of legislation by the 87th Texas Legislature authorizing the creation of the District, but reserves the right to grant, condition or withhold its consent to the creation of the District after passage of the legislation.

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

Section 1. Findings. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct legislative findings, and are adopted as part of this Resolution for all purposes.

Section 2: Conditional Non-Opposition to Legislation. The City does not, as of the date of the passage of this Resolution, oppose the introduction and passage of legislation during the 87th Texas Legislature creating the "Sterrett Road Municipal Management District," provided that such legislation does not substantively differ from the legislation attached hereto as *Exhibit A*, which is incorporated herein by reference and for all purposes. The passage of this Resolution does not, however, constitute the City's consent to the creation of the District or to the inclusion of land in the District, and in no way limits or affects the right of the City to grant, condition, or withhold such consent.

Section 3. Right to Withdraw Resolution. The City retains the right to withdraw this resolution and its non-opposition to the legislation creating the District if, during the legislative process, provisions in the legislation attached hereto as *Exhibit A* are determined by the City to have been substantively amended or, if the City determines, in its sole discretion, that progress on a development agreement with the Developer regarding the Development has not reached an acceptable stage.

(21)

Section 4: **Effective Date.** This Resolution shall take effect immediately and be in full force and effect upon adoption and as required by the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, THIS 1ST DAY OF FEBRUARY, 2021.

APPROVED:

Mayor David Hill

ATTEST:

City Secretary Lori Cartwright

APPROVED AS TO FORM:

Robert F. Brown, City Attorney

(21)

EXHIBIT A

DRAFT LEGISLATION

(22)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS ('CITY') IN SUPPORT OF HOUSE BILL 885, A PROPOSAL TO ALLOW NAVARRO COLLEGE TO CREATE A BACHELOR OF SCIENCE IN NURSING DEGREE PROGRAM, AND FURTHER NOTING THE OUTSTANDING EFFORTS OF STATE REPRESENTATIVE CODY HARRIS, AND NAVARRO COLLEGE PRESIDENT DOCTOR KEVIN G. FEGAN, IN THE CREATION OF HOUSE BILL 885

WHEREAS, Navarro College has a longstanding history of unrivaled support of post-secondary education needs in the City; and

WHEREAS, the Honorable Cody Harris, Texas State Representative for District 8 (Navarro, Hill, Freestone, and Anderson Counties), has authored House Bill 885 which will allow Navarro College to create a Bachelor of Science in Nursing degree program; and

WHEREAS, the City has a critical need for qualified health care professionals, both now and in the future; and

WHEREAS, House Bill 885 will provide a local education option for our residents desirous of a degree in nursing, which will enable employment options within our community; and

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

The City supports and strongly encourages prompt passage of House Bill 885, and further notes the outstanding efforts of the Honorable State Representative Cody Harris, and Navarro College President Dr. Kevin G. Fegan, in the creation of House Bill 885.

PASSED AND APPROVED this 1st day of February 2021.

David Hill, Mayor

ATTEST:

City Secretary

(23)



Memorandum

To: Honorable Mayor and City Council

From: Tommy Ludwig, Assistant City Manager

Thru: Michael Scott, City Manager

Date: January 29, 2021

Re: ZDC-007-2021 – Emory Lakes PID Petition

Staff has recently received a formal application for the creation of the Emory Lakes Planned Development District and an accompanying Public Improvement District (PID) financing mechanism. The Planned Development District is scheduled to appear before City Council on March 1st, and the developer has requested the zoning change and PID request be considered concurrently. In order for the PID to appear before City Council on the March 1st agenda, the developer must submit a petition for the creation of the PID. As a result, on February 1, 2021 a resolution to accept a petition for the creation of the proposed Emory Lakes PID will appear before City Council for consideration. Please note that submission of the PID petition is a requirement of the Chapter 372 of the Texas Local Government Code, but its approval is not approval of the PID itself or an indication of support.

As a reminder, Emory Lakes is a proposed 2,813 acre, master planned community located on the western boundary of the City of Waxahachie. The development is proposed to consist of five zoning districts and allow for uses ranging from residential and multifamily, to mixed use residential and non-residential, and general retail. The applicant has held joint work sessions with the City Council and the Planning and Zoning Commission on August 27, 2018 and February 12, 2019. At these meetings, the city expressed concerns over the density of the area, details associated with the PID, and the development standards.

(23)

Since this time, the applicant has worked closely with staff to address the City's concerns through modifications to their application. The developer has provided greater justification for the creation of the PID, and improved their overall amenities package. The current proposal includes private and public parks, four private amenity centers, open space, and enhanced landscaping throughout. If approved, the PID would be utilized to extend the City's utility and roadway infrastructure, to provide property connectivity within the development.

While the petition requesting the creation of the PID will appear before City Council on February 1st, the actual deliberation of the merits and justification for the PID will be considered by the City Council at the March 1st City Council meeting. The proposed rate for the PID assessment is \$.42 per \$100 valuation. Please note that the City's Financial Advisor has been actively involved in the review of the PID request, and has indicated the proposed assessment rate and expenditures are appropriate and within the market rate for a development of this magnitude.

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

Tommy Ludwig

(23)

**CITY OF WAXAHACHIE, TEXAS
RESOLUTION NO. __**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ACCEPTING A PETITION TO CREATE THE EMORY LAKES PUBLIC IMPROVEMENT DISTRICT; CALLING FOR A PUBLIC HEARING TO CONSIDER THE FEASIBILITY AND ADVISABILITY OF ESTABLISHING THE DISTRICT; AUTHORIZING AND DIRECTING THE PUBLICATION AND MAILING OF NOTICES OF THE PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 372 of the Texas Local Government Code (the “*Act*”) authorizes the creation of public improvement districts; and

WHEREAS, on January 15, 2021, the owners of real property delivered to the City of Waxahachie, Texas (the “*City*”) a petition (the “*Petition*”, which is attached as Exhibit A and incorporated herein for all purposes) meeting the requirements of the Act and indicating: (i) the owners of more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment, and (ii) the owners of more than fifty percent (50%) of the area of all taxable real property liable for assessment within the District have executed the Petition requesting that the City Council create the Emory Lakes Public Improvement District (the “*District*”); and

WHEREAS, the Act states that the Petition is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment under the proposal, or more than fifty percent (50%) of all record owners of property liable for assessment; and

WHEREAS, the Act further requires that prior to the adoption of the resolution creating the District, the City Council must hold a public hearing on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City.

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

(23)

Section 1. The findings set forth in the recitals of this Resolution are found to be true and correct.

Section 2. City staff reviewed the Petition and determined that same complied with the requirements of the Act and the City Council accepts the Petition. The Petition is filed with the office of the City Secretary and is available for public inspection.

Section 3. The City Council calls a public hearing to be scheduled at or after 7:00 p.m. on **March 1, 2021**, to be held at the regular meeting place of the City Council in the Council Chambers located at 401 S. Rogers Street, Waxahachie, Texas 75165 on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City. Attached hereto as **Exhibit B** is a form of the Notice of Public Hearing, the form and substance of which is hereby adopted and approved. All residents and property owners within the District, and all other persons, are hereby invited to appear in person, or by their attorney, and speak on the creation of the District.

Section 4. The City Council hereby authorizes and directs the City Secretary, on or before **February 13, 2021**, in accordance with the Act, to: (a) publish notice of the public hearing in a newspaper of general circulation in the City and in the extraterritorial jurisdiction in which the proposed District is to be located; and (b) mail notice of the public hearing to the owners of property located in the proposed District as reflected on the tax rolls.

Section 5. This Resolution shall become effective from and after the date of its passage in accordance with law.

[Remainder of page left blank intentionally.]

(23)

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
WAXAHACHIE THIS THE 1ST DAY OF FEBRUARY, 2021.

CITY OF WAXAHACHIE

DAVID HILL, MAYOR

ATTEST:

LORI CARTWRIGHT, CITY SECRETARY

EXHIBIT A
PETITION FOR CREATION

(23)

Exhibit A - Petition for Creation

PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF WAXAHACHIE, TEXAS

This petition (the "Petition") is submitted and filed with the City Secretary of the City of Waxahachie, Texas (the "City"), by Walton Texas, LP, a Texas limited partnership ("Walton Texas") acting in its own capacity as an owner and for and on behalf of various other owners of undivided interests in the Property (as defined below) (the "UDI Owners"), in its capacity as manager, operator or agent, as applicable, Walton TX Dallas Kemp Ridge LP, an Alberta limited partnership ("Walton Kemp Ridge"), and Walton TX Dallas Kemp Ranch LP 1, an Alberta limited partnership ("Walton Kemp Ranch") (Walton Texas, the UDI Owners, Walton Kemp Ridge, and Walton Kemp Ranch are collectively referred to herein as the "Owners"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), requesting that the City create a public improvement district (the "District") to include property owned by the Owners and located within the corporate limits of the City (the "Property"), more particularly described in Exhibit A and depicted in Exhibit B. In support of this Petition, the Owners present the following:

Section 1. General Nature of the Authorized Improvements. The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by §372.003(b) of the Act that are necessary for the development of the Property, which public improvements will include, but not be limited to: (1) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, and rights-of-way; (2) design, construction and other allowed costs related to storm drainage improvements; (3) design, construction and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities; (4) design, construction and other allowed costs related to erection of fountains, distinctive lighting and signs, and acquisition and installation of pieces of art; (5) design, construction and other allowed costs related to parks, open space, and recreational improvements, including trails, landscaping, and irrigation related thereto; (6) design, construction and other allowed costs related to off-street parking facilities, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage and rights-of-way; (7) design, construction and other allowed costs related to projects similar to those listed in subsections (1) - (6) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (8) design, construction and other allowed costs related to special supplemental services for improvement and promotion of the District, including services related to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; (9) payment of expenses incurred in the establishment, administration and operation of the District; and, (10) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Section 2. Estimated Cost of the Authorized Improvements. The Owners estimate that the total cost of the Authorized Improvements is \$300,000,000.

(23)

Exhibit A - Petition for Creation

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The City shall levy an assessment on each lot within the District to pay the cost of the Authorized Improvements in a manner that results in imposing equal shares of the cost on property similarly benefited. Each assessment may be paid in full at any time (including accrued and unpaid interest) or may be paid in annual installments (including interest and debt). If paid in annual installments, the annual installments must be paid in amounts necessary to meet annual costs for the Authorized Improvements and must continue for a period necessary to retire the indebtedness on the Authorized Improvements.

Section 5. Proposed Apportionment of Cost between the District and the City. The City shall not be obligated to provide any funds to finance the Authorized Improvements. The cost of the Authorized Improvements will be paid from the assessments and from other sources of funds, if any, available to the Owners or their successors in interest.

Section 6. Management of the District. The Owners propose that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. Owners Request Establishment of the District. The persons signing this Petition request the establishment of the District. This petition may be signed in multiple counterparts which, when taken together, shall be deemed one original.

Section 8. Advisory Board. The Owners propose that the District be established and managed without the creation of an advisory body.

This Petition has been signed by and on behalf of (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City in support of the creation of the District by the City Council as herein provided. The undersigned requests that the City Council grant its consent as above stated.

SIGNATURES APPEAR ON FOLLOWING PAGES

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

(23)

Exhibit A - Petition for Creation

RESPECTFULLY SUBMITTED, on this the 8 day of January, 2021.

OWNER/WALTON TEXAS:

WALTON TEXAS, LP,
a Texas limited partnership

By: Walton Texas GP, LLC,
a Texas limited liability company
Its: General Partner

By: Walton International Group, Inc.,
a Nevada corporation
Its: Manager

By: Kate Kaminski
Name: Kate Kaminski
Title: Chief Operating Officer

SIGNATURES ARE CONTINUED ON THE NEXT PAGE

(23)
Exhibit A - Petition for Creation

OWNER/WALTON TEXAS:

WALTON TEXAS, LP,

**a Texas limited partnership, on behalf of all other UDI
Owners in its capacity as manager, operator or agent,
as applicable**

**By: Walton Texas GP, LLC,
a Texas limited liability company
Its: General Partner**

**By: Walton International Group, Inc.,
a Nevada corporation
Its: Manager**

**By: Kate Kaminski
Name: Kate Kaminski
Title: Chief Operating Officer**

SIGNATURES ARE CONTINUED ON THE NEXT PAGE

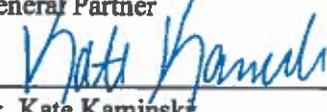
(23)

Exhibit A - Petition for Creation

OWNER/WALTON KEMP RANCH:

WALTON TX DALLAS KEMP RANCH LP 1,
an Alberta limited partnership

By: Walton TX Dallas Kemp Ranch Corporation,
an Alberta corporation
Its: General Partner

By: 
Name: Kate Kaminski
Title: Chief Operating Officer

By: 
Name: Rebecca Bruce
Title: Chief Financial Officer

SIGNATURES ARE CONTINUED ON THE NEXT PAGE

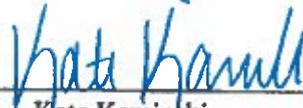
(23)

Exhibit A - Petition for Creation

OWNER/WALTON KEMP RIDGE:

WALTON TX DALLAS KEMP RIDGE LP,
an Alberta limited partnership

By: Walton TX Dallas Kemp Ridge Corporation,
an Alberta corporation
Its: General Partner

By: 
Name: Kate Kaminski
Title: Chief Operating Officer

By: 
Name: Rebecca Bruce
Title: Chief Financial Officer

END OF SIGNATURES

(23)

Exhibit A - Petition for Creation

EXHIBIT A

METES AND BOUNDS DESCRIPTION 2813.26 ACRES

All that certain lot, tract, or parcel of land, situated in a portion of the J. Barker Survey, Abstract No. 40, the E. Bellow Survey, Abstract No. 101, the E. H. Belcher Survey, Abstract No. 143, the J. Drinkard Survey, Abstract No. 273, the J. J. Davidson Survey, Abstract No. 302, the J. Fifer Survey, Abstract No. 351, the M. Myers Survey, Abstract No. 714, the J. E. Prince Survey, Abstract No. 845, the J. C. Reed Survey, Abstract No. 904, and the B. Wiltshire Survey, Abstract No. 1132, Ellis County, Texas, being a part of that certain called 681.000 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1526274 of the Deed Records of Ellis County, Texas (DRECT), a part of that certain called 1040.641 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1532148 (DRECT), all of that certain called 117.601 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1532149 (DRECT), all of that certain called 141.524 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1532150 (DRECT), all of that certain called 182.727 acre tract and 99.991 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1515578 (DRECT), all of that certain called 398.282 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1515579 (DRECT), all of that certain called 151.499 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1616460 (DRECT), and being more completely described as follows, to-wit:

BEGINNING at a 1/2" iron rod found for a Northwest corner of said 681.000 acre tract, the Northeast corner of a called 1.725 acre tract described in a deed to Patricia L. Knight recorded in Volume 2273, Page 384 (DRECT), and being in the South right-of-way line of Farm to Market Highway No. 875 (80' right-of-way width at this point);

THENCE North 59 deg. 54 min. 04 sec. East along the North line of said 681.000 acre tract and said South right-of-way line, a distance of 465.52 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 59 deg. 02 min. 19 sec. East along said North line and South right-of-way line, at 3.64 feet pass a 5/8" capped iron rod found stamped "TXDOT ROW" for the most westerly corner of a called 0.5506 acre tract described in a deed to the State of Texas recorded in Instrument No. 1610102 (DRECT), continue along the North line of said 681.000 acre tract for a total distance of 701.62 feet to 5/8" capped iron rod found stamped "LTRA 10140700" for a Point of Curvature of a circular curve to the right, having a radius of 920.72 feet, a central angle of 27 deg. 16 min. 15 sec., and being subtended by a chord which bears North 72 deg. 40 min. 27 sec. East - 434.10 feet;

THENCE in a northeasterly direction along said curve to the right and said North line, a distance of 438.23 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL", hereinafter referred to as 1/2" capped iron rod set, said point being in the South right-of-way line of said Farm to Market Highway No. 875;

THENCE North 86 deg. 18 min. 34 sec. East tangent to said curve and continue along the North line of said 681.000 acre tract, the North line of said 1040.641 acre tract, and said South right-of-way line,

(23)

Exhibit A - Petition for Creation

a distance of 2836.54 feet to a 1/2" capped iron rod set for a Point of Curvature of a circular curve to the left, having a radius of 1504.82 feet, a central angle of 14 deg. 06 min. 45 sec., and being subtended by a chord which bears North 79 deg. 15 min. 12 sec. East - 369.71 feet;

THENCE in an easterly direction along said curve to the left and the North line of said 1040.641 acre tract, at 358.14 feet pass a 5/8" capped iron rod found stamped "TXDOT ROW" FOR THE MOST WESTERLY CORNER OF A CALLED 0.5877 ACRE TRACT DESCRIBED IN A DEED TO THE State of Texas recorded in Instrument No. 1610103 (DRECT), continue along the North line of said 1040.641 acre tract for a total distance of 370.65 feet to a 5/8" capped iron rod found stamped "LTRA 10140700";

THENCE North 72 deg. 11 min. 49 sec. East tangent to said curve and continue along said North line, a distance of 475.71 feet to a 5/8" capped iron rod found stamped "LTRA 10140700";

THENCE North 72 deg. 42 min. 49 sec. East along said North line, a distance of 202.51 feet to a 1/2" capped iron rod set for a Point of Curvature of a circular curve to the right, having a radius of 2251.83 feet, a central angle of 9 deg. 09 min. 46 sec., and being subtended by a chord which bears North 77 deg. 17 min. 42 sec. East - 359.73 feet;

THENCE in an easterly direction along said curve to the right and the North line of said 1040.641 acre tract, a distance of 360.11 feet to a 5/8" capped iron rod found stamped "TXDOT ROW", said point being in the South right-of-way line of said Farm to Market Highway No. 875;

THENCE North 81 deg. 52 min. 35 sec. East tangent to said curve and continue along said North line and South right-of-way line, a distance of 122.75 feet to a 5/8" capped iron rod found stamped "TXDOT ROW", said point being a Point of Curvature of a circular curve to the right, having a radius of 587.69 feet, a central angle of 7 deg. 44 min. 56 sec., and being subtended by a chord which bears North 85 deg. 45 min. 03 sec. East - 79.42 feet;

THENCE in an easterly direction along said curve to the right, continue along said North line and South right-of-way line, a distance of 79.48 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 89 deg. 37 min. 34 sec. East along said North line and South right-of-way line, a distance of 1554.63 feet to a 1/2" capped iron rod set for a Point of Curvature of a circular curve to the left, having a radius of 1931.89 feet, a central angle of 3 deg. 33 min. 59 sec., and being subtended by a chord which bears North 87 deg. 50 min. 35 sec. East - 120.23 feet;

THENCE in an easterly direction along said curve to the left, continue along said North line and South right-of-way line, a distance of 120.25 feet to a 1/2" capped iron rod set for the Northeast corner of said 1040.641 acre tract and being in the West right-of-way line of Union Pacific Railroad;

THENCE South 31 deg. 23 min. 33 sec. East departing said South right-of-way line and continue along the East line of said 1040.641 acre tract and the West right-of-way line of said railroad, being 50 feet west of and parallel to the centerline of said railroad, a distance of 1239.17 feet to a 1/2" capped iron rod set, said point being a Point of Curvature of a circular curve to the left, having a radius of 1959.88

(23)

Exhibit A - Petition for Creation

feet, a central angle of 35 deg. 04 min. 26 sec., and being subtended by a chord which bears South 48 deg. 55 min. 46 sec. East - 1181.10 feet;

THENCE in a southeasterly direction along said curve to the left, the East line of said 1040.641 acre tract, and the West right-of-way line of said railroad, a distance of 1199.75 feet to a 1/2" capped iron rod set;

THENCE South 06 deg. 40 min. 05 sec. West non-tangent to said curve, and continue along said East line and West right-of-way line, a distance of 41.76 feet to a 1/2" capped iron rod set, said point being a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1999.88 feet, a central angle of 13 deg. 47 min. 52 sec., and being subtended by a chord which bears South 73 deg. 42 min. 44 sec. East - 480.44 feet;

THENCE in a southeasterly direction along said curve to the left, the East line of said 1040.641 acre tract and said West right-of-way line, being 90 feet South of and parallel to the centerline of said railroad, a distance of 481.60 feet to a 1/2" iron rod found for an easterly Northeast corner of said 1040.641 acre tract and in the Northwest line of a called 130 acre tract described in a mechanic's lien to Unity Presbyterian Homes recorded in Volume 912, Page 780 (DRECT);

THENCE South 12 deg. 25 min. 26 sec. West non-tangent to said curve departing said West right-of-way line, and continue along the East line of said 1010.641 acre tract and the Northwest line of said 130 acre tract, at 852.61 feet pass a 1/2" iron rod found for reference and continue a total distance of 866.18 feet to a point in the center of a creek;

THENCE in a southerly direction along the East line of said 1040.641 acre tract and the centerline of a creek the following twenty-one (21) courses;

South 55 deg. 57 min. 46 sec. West, a distance of 17.23 feet;

South 86 deg. 18 min. 25 sec. West, a distance of 58.99 feet;

North 73 deg. 07 min. 35 sec. West, a distance of 17.27 feet;

South 76 deg. 03 min. 54 sec. West, a distance of 43.90 feet;

North 41 deg. 30 min. 44 sec. West, a distance of 25.95 feet;

South 55 deg. 27 min. 48 sec. West, a distance of 44.04 feet;

South 27 deg. 26 min. 13 sec. West, a distance of 90.38 feet;

South 01 deg. 57 min. 39 sec. West, a distance of 24.29 feet;

South 50 deg. 57 min. 27 sec. West, a distance of 18.98 feet;

South 01 deg. 04 min. 18 sec. West, a distance of 39.19 feet;

(23)

Exhibit A - Petition for Creation

South 12 deg. 28 min. 08 sec. West, a distance of 44.61 feet;

South 05 deg. 47 min. 07 sec. West, a distance of 127.56 feet;

South 49 deg. 21 min. 10 sec. West, a distance of 117.39 feet;

South 35 deg. 47 min. 44 sec. West, a distance of 116.39 feet;

South 89 deg. 39 min. 37 sec. West, a distance of 77.26 feet;

South 68 deg. 20 min. 54 sec. West, a distance of 53.67 feet;

South 02 deg. 00 min. 42 sec. East, a distance of 50.83 feet;

South 28 deg. 22 min. 23 sec. West, a distance of 81.53 feet;

South 43 deg. 48 min. 28 sec. West, a distance of 90.13 feet;

South 30 deg. 56 min. 12 sec. West, a distance of 58.06 feet;

South 42 deg. 04 min. 17 sec. West, a distance of 51.16 feet to a point for corner for the Northwest corner of said 130 acre tract and being in the Northeast line of a called 60 acre tract described in a deed to T. L. Allen recorded in Volume 227, Page 326 (DIRECT);

THENCE North 38 deg. 44 min. 01 sec. West departing said centerline and continue along the East line of said 1040.641 acre tract and the Northeast line of said 60 acre tract, a distance of 107.40 feet to a 1/2" iron rod found for the Northeast corner of said 60 acre tract;

THENCE South 89 deg. 22 min. 18 sec. West along the East line of said 1040.641 acre tract and the North line of said 60 acre tract, a distance of 1029.07 feet to a 1/2" iron rod found for an ell corner of said 1040.641 acre tract and the Northwest corner of said 60 acre tract, being in the recognized East line of the J. Barker Survey and the recognized West line of the E. Bellow Survey;

THENCE South 01 deg. 10 min. 55 sec. East along the East line of said 1040.641 acre tract and the West line of said 60 acre tract, the recognized East line of the J. Barker Survey, and the recognized West line of the E. Bellow Survey, a distance of 541.96 feet to a 1/2" iron rod found for an ell corner of said 1040.641 acre tract;

THENCE South 58 deg. 40 min. 27 sec. West departing said survey lines and continue along the East line of said 1040.641 acre tract, a distance of 477.57 feet to a 1/2" capped iron rod set;

THENCE South 30 deg. 46 min. 56 sec. East along said East line, a distance of 982.20 feet to a 1/2" iron rod found for an ell corner of same, being in the recognized easterly North line of the J. Barker Survey, and the recognized South line of the E. Bellow Survey;

(23)

Exhibit A - Petition for Creation

THENCE South 56 deg. 32 min. 49 sec. West departing said survey lines and continue along the East line of said 1040.641 acre tract, a distance of 16.30 feet to a 1/2" iron rod found for an ell corner of same;

THENCE South 30 deg. 19 min. 20 sec. East along said East line, a distance of 638.29 feet to a 1/2" capped iron rod set for an ell corner of same;

THENCE North 59 deg. 30 min. 57 sec. East along said East line, a distance of 2071.60 feet to a 1/2" capped iron rod set for an ell corner of same, being in the West line of a called 202.85 acre tract described in a mechanic's lien recorded in Volume 912, Page 780 (DRECT), being the recognized Northwest corner of the J. E. Prince Survey, and a recognized ell corner of the E. Bellow Survey;

THENCE South 30 deg. 39 min. 05 sec. East along the East line of said 1040.641 acre tract, the West line of said 202.85 acre tract, the recognized West line of the J. E. Prince Survey, the recognized South line of the E. Bellow Survey, and the recognized East line of the J. Barker Survey, at 1932.08 feet pass a 1" iron pipe found for reference and continue a total distance of 1963.03 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL", hereafter referred to as P.K. nail set, for the Southeast corner of said 1040.641 acre tract and being in the North line of a 25 foot right-of-way dedication of Brookside Drive as shown in the final plat of Brookside Addition recorded in Cabinet B, Page 329 of the Plat Records of Ellis County, Texas (PRECT), also bein the original North line of a called 120.88 acre tract described in a deed to Robert L. Beer recorded in Volume 351, Page 107 (DRECT);

THENCE South 58 deg. 06 min. 39 sec. West along the South line of said 1040.641 acre tract, a distance of 4.14 feet to a P.K. nail set for the Northwest corner of said Brookside Addition and being a North corner of said 117.601 acre tract;

THENCE South 31 deg. 25 min. 31 sec. East along the North line of said 117.601 acre tract and the West line of said Brookside Addition, at 25.00 feet pass a 3/8" iron rod found for the Northwest corner of Lot 1 of said Brookside Addition, and continue a total distance of 175.01 feet to a 3/8" iron rod found for the Southwest corner of said Lot 1 and being an ell corner of said 117.601 acre tract;

THENCE North 58 deg. 34 min. 29 sec. East along the North line of said 117.601 acre tract, the South line of said Brookside Addition, the South line of a called 0.43 acre tract described in a deed to Monica Davis recorded in Volume 2589, Page 1329 (DRECT), the South line of a called 0.5152 acre tract described in a deed to Shirley Allred recoded in Volume 1550, Page 826 (DRECT), and the South line of a called 0.4309 acre tract described in a deed to Katy R. Ryan and Booby Hopgood recorded in Volume 2512, Page 1420 (DRECT), a distance of 998.69 feet to a 1/2" capped iron rod set for an ell corner of said 117.601 acre tract and the Southeast corner of said 0.4309 acre tract;

THENCE North 31 deg. 25 min. 31 sec. West along a North line of said 117.601 acre tract and the East line of said 0.4309 acre tract, a distance of 150.04 feet to a 1/2" iron pipe found for a North corner of said 117.601 acre tract, the Northeast corner of said 0.4309 acre tract, and being in the South right-of-way line of said Brookside Drive;

THENCE North 58 deg. 34 min. 29 sec. East along the North line of said 117.601 acre tract and said South right-of-way line, a distance of 40.12 feet to a 1/2" capped iron rod set for a North corner of said

(23)

Exhibit A - Petition for Creation

117.601 acre tract and the Northwest corner of a called 0.4312 acre tract described in a deed to Barbara Kay Beer Mouser, et vir recorded in Volume 2100, Page 1456 (DRECT);

THENCE South 31 deg. 25 min. 31 sec. East departing said South right-of-way line and continue along a North line of said 117.601 acre tract and the West line of said 0.4312 acre tract, a distance of 150.04 feet to a 1/2" capped iron rod found stamped "RPLS 4466" for an ell corner of said 117.601 acre tract and the Southwest corner of said 0.4312 acre tract;

THENCE North 58 deg. 34 min. 29 sec. East along the North line of said 117.601 acre tract and the South line of said 0.4312 acre tract, a distance of 125.26 feet to a 1/2" iron pipe found for the Northeast corner of said 117.601 acre tract, the Southeast corner of said 0.4312 acre tract, the Southwest corner of a called 0.503 acre tract described in a deed to Robert P. Kelley, et ux recorded in Volume 567, Page 555 (DRECT), and being in the West line of the remainder of a called 125 acre tract described in a deed to Jack Kelley recorded in Volume 404, Page 324 (DRECT);

THENCE South 31 deg. 13 min. 11 sec. East along the East line of said 117.601 acre tract and the West line of said 125 acre tract, a distance of 2358.70 feet to a 1/2" capped iron rod set for the Southeast corner of said 117.601 acre tract, the Southwest corner of said 125 acre tract, and being in the North line of a called 140 acre tract described in a deed to Clint Allen Riddle and Curtis Ray Riddle recorded in Volume 2675, Page 812 (DRECT), from which a 1/2" iron rod found bears South 15 deg. 39 min. 16 sec. West - 2.77 feet and a 1/2" iron pipe found for the Northeast corner of said 140 acre tract bears North 59 deg. 45 min. 11 sec. East - 952.87 feet;

THENCE South 59 deg. 45 min. 11 sec. West along the South line of said 117.601 acre tract and the North line of said 140 acre tract, at 1243.66 feet pass a 1/2" iron rod found for the Northwest corner of said 140 acre tract and the Northeast corner of a called 10.00 acre tract described in a deed to Melissa Mims recorded in Volume 2139, Page 2147 (DRECT) and continue a total distance of 2108.66 feet to a 1/2" capped iron rod set for the Southwest corner of said 117.601 acre tract and being an ell corner of a called 265.36 acre tract described in a deed to Nay Trust B recorded in Volume 2739, Page 149 (DRECT);

THENCE North 31 deg. 44 min. 11 sec. West along the West line of said 117.601 acre tract, the East line of said 265.36 acre tract, and the East line of a called 2.113 acre tract described in a deed to Terry L. Nay, et ux recorded in Volume 1621, Page 662 (DRECT) at 2466.20 feet pass a 1/2" iron rod found 75.00 feet West of and perpendicular to said line for a corner in the West line of said 2.113 acre tract and continue a total distance of 2482.55 feet to a 1/2" capped iron rod set for the Northwest corner of said 117.601 acre tract and being in the South line of said 1040.641 acre tract;

THENCE South 58 deg. 06 min. 39 sec. West along the South line of said 1040.641 acre tract, a distance of 1071.46 feet to a 1/2" capped iron rod set for an ell corner of same and being the most northerly Northwest corner of said 265.36 acre tract;

THENCE South 04 deg. 10 min. 42 sec. East along the South line of said 1040.641 acre tract and the North line of said 265.36 acre tract, a distance of 1491.41 feet to a 1/2" capped iron rod set for an ell corner of same;

(23)

Exhibit A - Petition for Creation

THENCE South 31 deg. 26 min. 53 sec. East along the South line of said 1040.641 acre tract and the North line of said 265.36 acre tract, a distance of 214.05 feet to a 1/2" iron rod found in the recognized South line of J. Barker Survey, recognized Northeast corner of the M. Myers Survey, and the recognized Northwest corner of the J. Fifer Survey;

THENCE South 58 deg. 27 min. 04 sec. West along the South line of said 1040.641 acre tract, the North line of said 265.36 acre tract, the recognized South line of the J. Barker Survey, and the recognized North line of the M. Myers Survey, a distance of 1456.37 feet to a 1/2" capped iron rod set for the Northeast corner of said 141.524 acre tract and the Northwest corner of said 265.36 acre tract;

THENCE South 30 deg. 59 min. 02 sec. East departing the South line of said 1040.641 acre tract and said survey lines, continue along the East line of said 141.524 acre tract and the West line of said 265.36 acre tract, a distance of 2323.39 feet to a 1/2" capped iron rod set for the most westerly Southwest corner of said 265.36 acre tract and the Northwest corner of a called 40.889 acre tract described as Tract 1 in a deed to Hiram Clay Schoolfield recorded in Volume 2424, Page 1248 (DRECT);

THENCE South 02 deg. 15 min. 28 sec. East along the East line of said 141.524 acre tract and the West line of said 40.889 acre tract, a distance of 25.10 feet to a 1/2" capped iron rod set for the northerly corner of a called 0.7798 acre tract described as Tract 3 in said Volume 2424, Page 1248 (DRECT);

THENCE South 18 deg. 58 min. 50 sec. East along the East line of said 141.524 acre tract and the West line of said 0.7798 acre tract, a distance of 816.36 feet to a 1/2" capped iron rod set for the southerly corner of said 0.7798 acre tract and being in the West line of said 40.889 acre tract;

THENCE South 12 deg. 44 min. 40 sec. East along the East line of said 141.524 acre tract and the West line of said 40.889 acre tract, a distance of 19.10 feet to a 1/2" capped iron rod set for the northerly corner of a called 0.2831 acre tract described as Tract 2 in said Volume 2424, Page 1248 (DRECT);

THENCE South 08 deg. 46 min. 58 sec. East along the East line of said 141.524 acre tract, the West line of said 0.2831 acre tract, and the West line of a called 0.7778 acre tract described in a deed to Hiram Clay Schoolfield, et ux recorded in Volume 2105, Page 1459 (DRECT), a distance of 855.83 feet to a 1/2" capped iron rod found stamped "RPLS 4466" for the Southeast corner of said 141.524 acre tract, the southerly corner of said 0.7778 acre tract, the Southwest corner of said 40.889 acre tract, and being in the North right-of-way line of Farm to Market Highway No. 1446 (80' right-of-way width), from which a 1/2" iron rod found for a P.I. in said right-of-way bears North 84 deg. 07 min. 41 sec. East - 903.57 feet;

THENCE South 84 deg. 07 min. 41 sec. West along the South line of said 141.524 acre tract and said North right-of-way line, a distance of 1056.15 feet to a 1/2" capped iron rod set for a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1949.86 feet, a central angle of 7 deg. 42 min. 06 sec., and being subtended by a chord which bears South 80 deg. 06 min. 44 sec. West - 261.90 feet;

THENCE in a westerly direction along said curve to the left, the South line of said 141.524 acre tract, and said North right-of-way line, a distance of 262.10 feet to a 1/2" capped iron rod set;

(23)

Exhibit A - Petition for Creation

THENCE South 76 deg. 15 min. 41 sec. West tangent to said curve and continue along the South line of said 141.524 acre tract and said North right-of-way line, a distance of 16.06 feet to a 1/2" capped iron rod set for the Southwest corner of said 141.524 acre tract and the Southeast corner of a called 195.17 acre tract described in a deed to ACCRU, Inc. recorded in Volume 1737, Page 2029 (DIRECT), from which a 60D nail found bears South 31 deg. 29 min. 58 sec. East - 0.33 feet;

THENCE North 31 deg. 29 min. 58 sec. West along the West line of said 141.524 acre tract and the East line of said 195.17 acre tract, a distance of 3389.99 feet to a 1/2" capped iron rod set for the Northwest corner of said 141.524 acre tract, a South corner of a called 300.765 acre tract described in a deed to Jeffrey Lane Frazier and Jeanette Marie Frazier recorded in Volume 2048, Page 1588 (DIRECT), being in the recognized South line of the J. Barker Survey and the recognized North line of the M. Myers Survey, from which a 1/2" iron rod found "bent" bears North 31 deg. 29 min. 58 sec. West - 0.71 feet;

THENCE North 58 deg. 27 min. 04 sec. East along the North line of said 141.524 acre tract, the South line of said 300.765 acre tract, the recognized South line of the J. Barker Survey, and the recognized North line of the M. Myers Survey, a distance of 660.45 feet to a 1/2" iron rod found for the Southeast corner of said 300.765 acre tract and the Southwest corner of said 1040.641 acre tract;

THENCE North 30 deg. 52 min. 01 sec. West departing the North line of said 141.524 acre tract and said survey lines and continue along the West line of said 1040.641 acre tract and the East line of said 300.765 acre tract, a distance of 2132.69 feet to a 1/2" capped iron rod found stamped "RPLS 4466" for the Northeast corner of said 300.765 acre tract and being the Southeast corner of said 398.282 acre tract;

THENCE South 59 deg. 04 min. 49 sec. West along the South line of said 398.282 acre tract and the North line of said 300.765 acre tract, a distance of 3095.33 feet to a 1/2" iron rod found for the Northeast corner of said 99.991 acre tract;

THENCE South 30 deg. 52 min. 12 sec. East departing the South line of said 398.282 acre tract and continue along the East line of said 99.991 acre tract, a distance of 1419.80 feet to a 1/2" capped iron rod set for the Southeast corner of same;

THENCE South 59 deg. 04 min. 49 sec. West along the South line of said 99.991 acre tract, a distance of 3067.77 feet to a 1/2" capped iron rod found "illegible" for the Southwest corner of same, being in the recognized West line of the B. Wiltshire Survey and the East line of the J. W. Brock Survey, Abstract No. 129, said point being in the apparent right-of-way of Lone Elm Road;

THENCE North 30 deg. 52 min. 12 sec. West along the West line of said 99.991 acre tract, the West line of said 398.282 acre tract, the East line of a called 132.09 acre tract described in a deed to Richard E. Wood recorded in Volume 630, Page 1040 (DIRECT), the recognized West line of the B. Wiltshire Survey, the recognized East line of the J. W. Brock Survey, and generally along the centerline of Lone Elm Road, a distance of 2347.89 feet to a railroad spike found in said centerline for the Southeast corner of a called 21.607 acre tract described in a deed to Duane Walker and Clinton S. Walker recorded in Volume 2522, Page 1807 (DIRECT), the Northeast corner of said 132.09 acre tract, and being the

(23)

Exhibit A - Petition for Creation

recognized Northeast corner of the J. W. Brock Survey and the recognized Southeast corner of the E. H. Belcher Survey;

THENCE North 30 deg. 36 min. 54 sec. West along the West line of said 398.282 acre tract, the East line of said 21.607 acre tract, the recognized East line of the E. H. Belcher Survey, the recognized West line of the B. Wiltshire Survey, and generally along the centerline of Lone Elm Road, a distance of 1069.50 feet to a railroad spike found for the most westerly Northwest corner of said 398.282 acre tract, the South line of said 182.727 acre tract, an ell corner of said 21.607 acre tract, the recognized Southwest corner of the J. Barker Survey, the recognized Northwest corner of the B. Wiltshire Survey, and the recognized East line of the E. H. Belcher Survey, and being in the apparent right-of-way line of Lone Elm Road;

THENCE South 59 deg. 14 min. 03 sec. West departing said survey lines and continue along the East line of said 21.607 acre tract and the South line of said 182.727 acre tract, a distance of 9.39 feet to a railroad spike found in the centerline of Lone Elm Road for the Southwest corner of said 182.727 acre tract and an ell corner of said 21.607 acre tract;

THENCE in a northerly direction along the East and North lines of said 21.607 acre tract, the West line of said 182.727 acre tract, and the centerline of Lone Elm Road the following seven (7) courses;

North 36 deg. 38 min. 20 sec. West, a distance of 137.89 feet to a P.K. nail set;

North 31 deg. 46 min. 43 sec. West, a distance of 526.65 feet to a railroad spike found;

North 36 deg. 29 min. 06 sec. West, a distance of 390.51 feet to a railroad spike found;

North 28 deg. 08 min. 21 sec. West, a distance of 116.40 feet to a railroad spike found;

North 20 deg. 06 min. 52 sec. West, a distance of 238.25 feet to a railroad spike found for a Point of Curvature of a non-tangent circular curve to the left, having a radius of 135.00 feet, a central angle of 99 deg. 54 min. 23 sec., and being subtended by a chord which bears North 69 deg. 38 min. 15 sec. West - 206.69 feet;

Continue in a northwesterly direction along said curve to the left, a distance of 235.40 feet to a railroad spike found;

South 60 deg. 25 min. 46 sec. West, a distance of 239.14 feet to a railroad spike found for the Northwest corner of said 21.607 acre tract and being a Southwest corner of said 182.727 acre tract;

THENCE North 38 deg. 11 min. 55 sec. West departing said centerline and continue along the West line of said 182.727 acre tract, at 4.36 feet pass a cotton spindle found for the Southeast corner of a called 5.0854 acre tract described in a deed to Cesar Gabriel Alvarado, et al recorded in Volume 2827, Page 1025 (DIRECT) and continue a total distance of 30.42 feet to a 1/2" iron rod found;

(23)

Exhibit A - Petition for Creation

THENCE North 31 deg. 37 min. 24 sec. West along the West line of said 182.727 acre tract, the West line of said 681.000 acre tract, and the East line of said 5.0854 acre tract, a distance of 1519.11 feet to a 1/2" iron rod found for an ell corner of said 681.000 acre tract, the Northeast corner of said 5.0854 acre tract, being in the Southeast line of said 151.499 acre tract, and being in the recognized Southeast line of the J. J. Davidson Survey;

THENCE South 58 deg. 49 min. 03 sec. West along the Southeast line of said 151.499 acre tract and the recognized Southeast line of the J. J. Davidson Survey, at 143.23 feet pass 1/2" iron rod found for the Northwest corner of said 5.0854 acre tract, at 424.16 feet pass a 1/2" iron rod found which bears Southeast 0.87 feet, at 712.18 feet pass a 1/2" iron rod found which bears Southeast 1.74 feet, and continue a total distance of 1266.40 feet to a 1.5" iron pipe found for the most southerly corner of said 151.499 acre tract, the most easterly corner of a called 23.699 acre tract described in a deed to the Gary Pohlman and Catherine Pohlman Revocable Living Trust recorded in Volume 2570, Page 766 (DRECT), said point being in the recognized Southeast line of the J. J. Davidson Survey, and the recognized Northwest line of the E. Ballard Survey;

THENCE North 31 deg. 15 min. 57 sec. West departing said survey lines and continue along the Southwest line of said 151.499 acre tract, the Northeast line of said 23.699 acre tract, the Northeast line of a called 13.193 acre tract described in a deed to Mike Green, et al recorded in Volume 1865, Page 2013 (DRECT), and a Northeast line of a called 5.48 acre tract described in a deed to Sharon Hobbs recorded in Instrument No. 1521807 (DRECT), a distance of 1466.49 feet to a 1/2" capped iron rod set for an ell corner of said 151.499 acre tract and an ell corner of said 5.48 acre tract;

THENCE North 58 deg. 19 min. 03 sec. East along a Northwest line of said 151.499 acre tract and a Southeast line of said 5.48 acre tract, a distance of 672.39 feet to a 1/2" capped iron rod set for an ell corner of said 151.499 acre tract and the most easterly corner of said 5.48 acre tract;

THENCE North 31 deg. 00 min. 42 sec. West along the Southwest line of said 151.499 acre tract, the Northeast line of said 5.48 acre tract, and the Northeast line of a called 119.3 acre tract described in a deed to Katherine Ann Pitts recorded in Volume 1133, Page 31 (DRECT), a distance of 2105.26 feet to a 1/2" capped iron rod set for a Northwest corner of said 151.499 acre tract and being the Southwest corner of a called 1.34 acre tract described in a deed to Robert Armstrong, et al recorded in Volume 1815, Page 1883 (DRECT);

THENCE North 59 deg. 52 min. 53 sec. East along the Northwest line of aid 151.499 acre tract and the South line of said 1.34 acre tract, a distance of 246.50 feet to a 1/2" capped iron rod found stamped "TEXAS SURVEYORS" for an ell corner of said 151.499 acre tract and the Southeast corner of said 1.34 acre tract;

THENCE North 19 deg. 07 min. 42 sec. West along a West line of aid 151.499 acre tract and the East line of said 1.34 acre tract, at 216.69 feet pass a 1/2" capped iron rod found stamped "TEXAS SURVEYORS", and continue a total distance of 225.94 feet to a P.K. nail set for the most northerly Northwest corner of said 151.499 acre tract, the Northeast corner of said 1.34 acre tract, said point being in Lone Elm Road;

(23)

Exhibit A - Petition for Creation

THENCE North 58 deg. 10 min. 50 sec. East along the Northwest line of said 151.499 acre tract, a distance of 778.04 feet to a P.K. nail set for the most northerly Northeast corner of same, the Northwest corner of a called 10.398 acre tract described in a deed to Jay Lindstrom, et al recorded in Volume 2782, Page 1786 (DIRECT), said point being in Lone Elm Road;

THENCE South 23 deg. 02 min. 22 sec. East along the Northeast line of said 151.499 acre tract and the West line of said 10.398 acre tract, at 30.26 feet pass a 1/2" capped iron rod found stamped "WLSC", and continue a total distance of 1040.17 feet to a 1/2" iron rod found;

THENCE South 32 deg. 49 min. 01 sec. East along the Northeast line of said 151.499 acre tract and the West line of said 10.398 acre tract, a distance of 600.03 feet to a 1/2" iron rod found for an ell corner of said 151.499 acre tract and the Southwest corner of said 10.398 acre tract;

THENCE North 60 deg. 11 min. 33 sec. East along a North line of said 151.499 acre tract and the South line of said 10.398 acre tract, at 299.94 feet pass a 1/2" capped iron rod found stamped "WLSC" for the Southeast corner of said 10.398 acre tract and the Southwest corner of a called 10.339 acre tract described in a deed to Dawn Knox recorded in Volume 2791, Page 1504 (DIRECT), at 606.40 feet pass a 1/2" capped iron rod found stamped "WLSC" for the Southeast corner of said 10.339 acre tract and the Southwest corner of a called 11.168 acre tract described in a deed to David P. Hein, Jr., et al recorded in Volume 2788, Page 2140 (DIRECT), and continue a total distance of 946.14 feet to a 1/2" capped iron rod set for the most easterly Northeast corner of said 151.499 acre tract, the Southeast corner of said 11.168 acre tract, being in the Southwest line of said 681.000 acre tract, and being in the recognized Southwest line of the J. Barker Survey, and the Northeast line of the J. J. Davidson Survey, from which a 1/2" iron rod found bears North 60 deg. 11 min. 33 sec. East - 1.30 feet;

THENCE North 31 deg. 16 min. 02 sec. West along the Southwest line of said 681.000 acre tract, the Northeast line of said 11.168 acre tract, and the recognized Southwest line of the J. Barker Survey and the recognized Northeast line of the J. J. Davidson Survey, a distance of 1060.24 feet to a 1/2" iron rod found for a Northwest corner of said 681.000 acre tract and the Southwest corner of a called 10.059 acre tract described in a deed to Mark Livingston and Monica Louise Livingston recorded in Volume 2559, Page 2132 (DIRECT);

THENCE North 58 deg. 36 min. 52 sec. East departing the Northeast line of said 11.168 acre tract and said survey lines and continue along the Northwest line of said 681.000 acre tract, the South line of said 10.059 acre tract, the South line of a called 10.059 acre tract described in a deed to Joe Bourland and Barbara Bourland recorded in Volume 2559, Page 2122 (DIRECT), and the South line of a remainder of called 58.092 acre tract described in a deed to Armstrong 98, LLC recorded in Volume 2431, Page 1623 (DIRECT), a distance of 1893.09 feet to a 1/2" capped iron rod found for the Southeast corner of said 58.092 acre tract;

THENCE North 31 deg. 34 min. 40 sec. West along the Northwest line of said 681.000 acre tract and the East line of said 58.092 acre tract, a distance of 11.05 feet to a 1/2" capped iron rod set for the Southwest corner of a called 8.000 acre tract described in a deed to Iglesia Vaquera recorded in Volume 2504, Page 887 (DIRECT);

(23)

Exhibit A - Petition for Creation

THENCE North 58 deg. 40 min. 31 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 8.000 acre tract, a distance of 289.78 feet to a 60D nail found for the Southeast corner of said 8.000 acre tract and the Southwest corner of a called 13.885 acre tract described in a deed to Nelson C. Ridgway recorded in Volume 1948, Page 238 (DRECT);

THENCE North 58 deg. 40 min. 33 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 13.885 acre tract, a distance of 601.09 feet to a 5/8" iron rod found for the Southeast corner of said 13.885 acre tract and the Southwest corner of a called 10.168 acre tract described as Tract 1 in a deed to Rapeapat Unarut recorded in Volume 2517, Page 1087 (DRECT);

THENCE North 58 deg. 37 min. 40 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 10.168 acre tract, a distance of 439.41 feet to a 1/2" iron rod found for the Southeast corner of said 10.168 acre tract and the Southwest corner of a called 3.0 acre tract described as Tract 2 in said Volume 2517, Page 1087 (DRECT);

THENCE North 58 deg. 43 min. 52 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 3.0 acre tract, a distance of 372.79 feet to a 1/2" iron rod found for an ell corner of said 681.000 acre tract, the Southeast corner of said 3.0 acre tract, and being in the East line of Memory Lane (12' wide private road);

THENCE North 31 deg. 19 min. 29 sec. West along the Northwest line of said 681.000 acre tract and the East line of said Memory Lane, a distance of 899.22 feet to a 1/2" iron rod found for a Northwest corner of said 681.000 acre tract and the Southwest corner of said 1.725 acre tract;

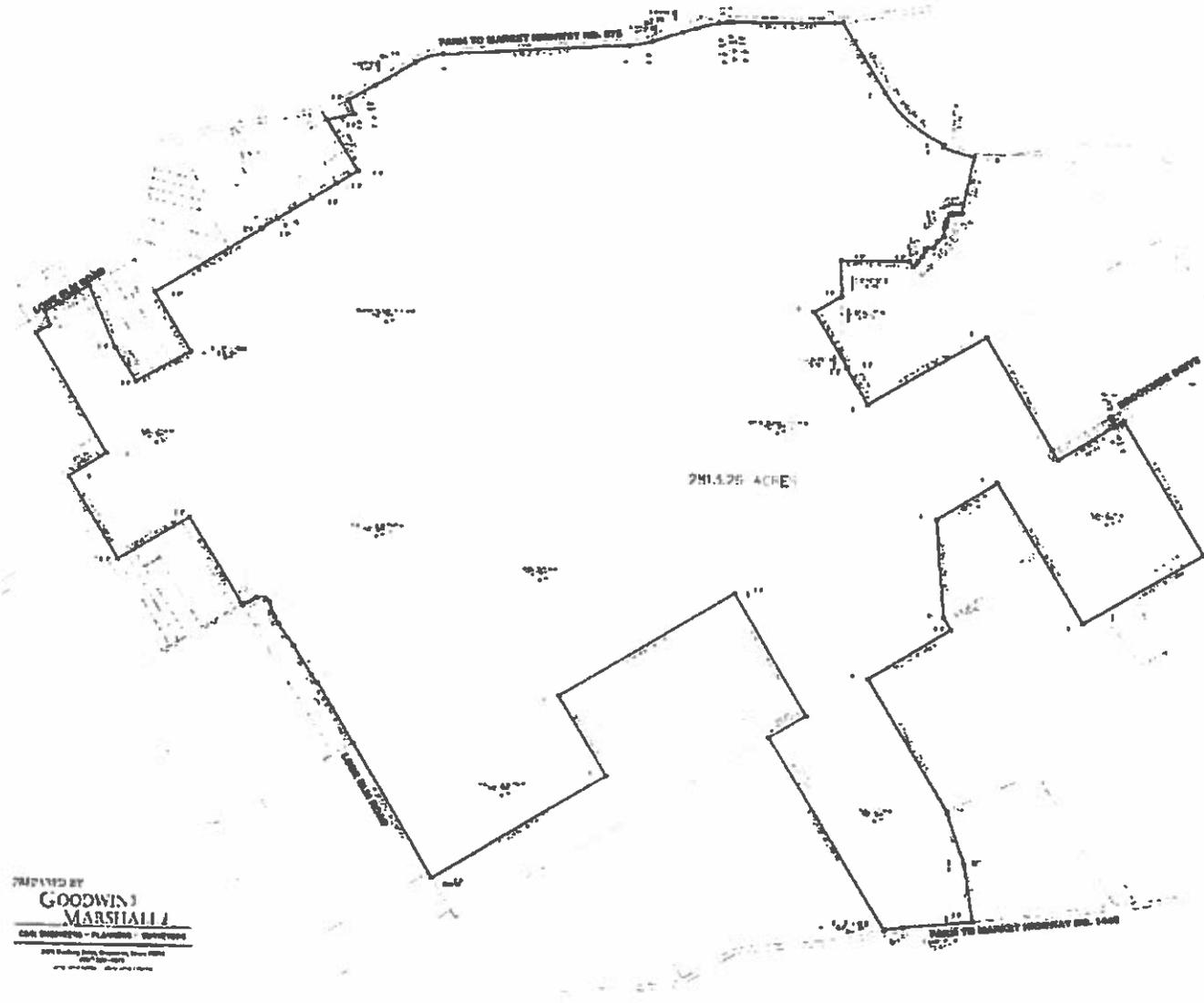
THENCE North 76 deg. 25 min. 44 sec. East along the North line of said 681.000 acre tract and the South line of said 1.725 acre tract, a distance of 416.30 feet to a 1/2" iron rod found for an ell corner of said 681.000 acre tract and the Southeast corner of said 1.725 acre tract;

THENCE North 22 deg. 02 min. 17 sec. West along the West line of said 681.000 acre tract and the East line of said 1.725 acre tract, a distance of 225.35 feet to the POINT OF BEGINNING, containing 122,545,629 square feet or 2813.26 acres of land, more or less.

Bearings are referenced to Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 as derived from GPS observation.

Exhibit A - Petition for Creation

Exhibit B Depiction of the Property



(23)

PREPARED BY
**GOODWIN
MARSHALL**
C&A ENGINEERS - PLANNERS - SURVEYORS
2000 Building South, Suite 1000
Dallas, Texas 75201
214.741.1000

PID EXHIBIT
OF
2911.26 ACRES
ELLIS COUNTY, TEXAS
Map Number 01

(23)

Exhibit B - Notice of Public Hearing

EXHIBIT B

CITY OF WAXAHACHIE, TEXAS NOTICE OF PUBLIC HEARING REGARDING THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended, notice is hereby given that the City Council of the City of Waxahachie, Texas ("City"), will hold a public hearing to accept public comments and discuss the petition (the "Petition"), filed by Walton Texas, LP, a Texas limited partnership ("Walton Texas") acting in its own capacity as an owner and for and on behalf of various other owners of undivided interests in the property in the District (as defined below) (the "UDI Owners"), in its capacity as manager, operator or agent, as applicable, Walton TX Dallas Kemp Ridge LP, an Alberta limited partnership ("Walton Kemp Ridge"), and Walton TX Dallas Kemp Ranch LP 1, an Alberta limited partnership ("Walton Kemp Ranch") (Walton Texas, the UDI Owners, Walton Kemp Ridge, and Walton Kemp Ranch are collectively referred to herein as the "Petitioners"), requesting that the City create the Emory Lakes Public Improvement District (the "District") to include property owned by the Petitioners.

Time and Place of the Hearing. The public hearing will start at or after 7:00 p.m. on March 1, 2021, at the regular meeting place of the City Council of the City in the Council Chambers located at 401 S. Rogers Street, Waxahachie, Texas 75165.

General Nature of the Proposed Authorized Improvements. The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Public Improvement District Assessment Act, codified as Chapter 372, Texas Local Government Code, as amended (the "Act"), that are necessary for the development of the Property, which public improvements will include, but not be limited to: (1) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, and rights-of-way; (2) design, construction and other allowed costs related to storm drainage improvements; (3) design, construction and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities; (4) design, construction and other allowed costs related to erection of fountains, distinctive lighting and signs, and acquisition and installation of pieces of art; (5) design, construction and other allowed costs related to parks, open space, and recreational improvements, including trails, landscaping, and irrigation related thereto; (6) design, construction and other allowed costs related to off-street parking facilities, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage and rights-of-way; (7) design, construction and other allowed costs related to projects similar to those listed in subsections (1) - (6) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (8) design, construction and other allowed costs related to special supplemental services for improvement and promotion of the District, including services related to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; (9) payment of expenses incurred in the establishment, administration and operation of the District; and, (10) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements, including eligible costs related to the establishment, administration and operation of the District and expenses associated with financing Authorized Improvements is \$300,000,000.

Proposed District Boundaries. The District is proposed to include approximately 2813.26 acres of land generally located north of Farm to Market Highway No. 1446, south of Farm to Market Highway No. 875, east of Lone Elm Road, and west of Interstate Highway 35, and as more particularly described by a metes

(93)

Exhibit B - Notice of Public Hearing

and bounds description available at Waxahachie City Hall located at 401 S. Rogers Street, Waxahachie, Texas 75165 and available for public inspection during regular business hours.

Proposed Method of Assessment. City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and debt), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessments and must continue for a period necessary to retire the indebtedness issued to finance or refinance those Authorized Improvements (including interest).

Proposed Apportionment of Cost between the District and City. City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District property and possible tax increment reinvestment zone revenue. No municipal property in the District shall be assessed. The Petitioners or their successors in interest may also pay certain costs of the improvements from other funds available to it as developer of the District.

(24)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS ('CITY') IN SUPPORT OF CANDIDATE NOMINATION FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS VACANCY FOR THE YEAR 2021

WHEREAS, Section 6.03 (1) of the Texas Property Tax Code, requires that each taxing unit entitled to vote may nominate by Resolution one candidate to fill the vacancy and submit those nominations to the Chief Appraiser of the Ellis Appraisal District by Friday February 19, 2021; and

NOW, THEREFORE, the City of Waxahachie submits the following nomination for the vacancy on the Board of Directors of Ellis Appraisal District for 2021:

ACTION TAKEN this _____ day of _____, 2021, in the Waxahachie Session of the governing body of the above-mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code, for the purpose of nominating candidates to the Board of Directors of Ellis Appraisal District.

PASSED AND APPROVED this 1st day of February 2021.

David Hill, Mayor

ATTEST:

City Secretary

(24)

Cartwright, Lori

From: Kathy Rodrigue <kathy@elliscad.com>
Sent: Friday, January 22, 2021 11:19 AM
Subject: Vacancy on the 2021 Ellis Appraisal District Board of Directors

Hello All,

Tom Abram, who has served on the Ellis Appraisal District Board of Directors(BOD) since 2014, has submitted his resignation effective February 1, 2021 from the Board. Mr. Abram has been an extremely valuable member of the Board of Directors. Ellis Appraisal District is better for having his leadership, business acumen and willing stewardship!

If you previously submitted a nomination to fill Mr. Pitts vacancy, this will be an entirely new process in compliance with the law, so please follow the timeline below for submitting a nomination for Mr. Abram's vacancy.

The Texas Property Tax Code Section 6.03(l) speaks to the process where a vacancy on the BOD is filled. Each taxing unit that is entitled to vote may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy. Please see the timeline and eligibility requirements for this process.

Here is the timeline to address this vacancy:

- Please have your governing body act to nominate a candidate by resolution (please see attachment) by **Thursday, February 18th**
- Please submit your nominations by **Friday, February 19th** (please also include a resume with phone and email contact information for your nominee)
- The list of nominees will be sent to the current Board of Directors
- The Board of Directors will act on **Thursday, February 25th at 4pm** to fill the vacancy from the list of nominees
- You will receive notification of the new member on the Board of Directors

Here is what the Property Tax Code Sec 6.03(a) and 6.035 says about eligibility:

- To be eligible to serve on the board of directors, an individual must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office.
- An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit.
- An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.
- An individual is ineligible to serve if the individual:
 - is related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to an individual who is engaged in the business of appraising property for compensation for use in proceedings under this title or of representing property owners for compensation in proceedings under this title in the appraisal district;
 - or owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the date the individual knew or should have known of the delinquency unless:
 - (A) the delinquent taxes and any penalties and interest are being paid under an installment payment agreement under Section 33.02; or

(B) a suit to collect the delinquent taxes is deferred or abated under Section 33.06 or 33.065 (24)

- An individual is ineligible to serve on an appraisal district board of directors if the individual has engaged in the business of appraising property for compensation for use in proceedings under this title (for use in an ARB hearing or a tax agent) or of representing property owners for compensation in proceedings under this title in the appraisal district at any time during the preceding five years.

Please let me know if you have any questions,
Kathy

Kathy Rodrigue, RPA
Chief Appraiser, Ellis Appraisal District

Let's serve others and make a difference in this world!

Direct Line: 972.937.3218
Fax: 972.937.1618

(25)



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: January 29, 2021
Re: Smart Meter Funding Analysis

On Monday February 1, 2021 a smart meter funding analysis with Performance Services, Inc. will appear before City Council for consideration. Chapter 302 of the Texas Local Government Code allows for municipalities to enter into energy saving performance agreements with qualifying firms to fund various initiatives, including those related to the efficiency or accuracy of meter related equipment or systems.

Over the past several months staff has evaluated firms who are qualified to provide the aforementioned services, and staff believes Performance Services, Inc. is best suited to meet the City's needs. The proposed analysis, to be conducted by Performance Services, Inc., is a detailed audit that will determine if the projected savings from the implementation of smart meters will be a net neutral (breakeven) or net positive endeavor.

Performance Services, Inc. will offer a price guarantee associated with the revenues identified in this analysis throughout the life of the project's debt service. Assuming that the analysis indicates that the smart meter initiative will fund itself, staff would recommend utilizing Performance Services, Inc. to manage the implementation of the smart meter project. Please note a

(25)

separate item identifying the total cost and authorizing the implementation of the smart meter project would require Council approval at a later date.

The cost associated with this analysis will be \$39,658. In the event that the financial analysis determines that the smart meter project is not net neutral, there is no fee associated with this study. If the City elects to move forward with the implementation of smart meters, the cost for the study will be rolled into the total price for the project. In the event that the City elects not to engage Performance Services, Inc. to manage the smart meter implementation, and the analysis indicates the project is financially self-sufficient, Performance Services, Inc. will be owed \$39,658 once the final report is accepted by the City.

Staff anticipates that the audit will take approximately three months to complete. During this analysis staff will work with Performance Services, Inc. to determine the specific meter type, and associated costs, that best meets the City's needs. Performance Services, Inc. will utilize these costs to determine if the project will ultimately fund itself, through the implementation of more efficient water meters.

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

Tommy Ludwig

(He)



Memorandum

To: Honorable Mayor and City Council

From: Tommy Ludwig, Assistant City Manager

Thru: Michael Scott, City Manager

Date: January 29, 2021

Re: Will Serve/CCN Swap Agreement - Sardis Lone-Elm Water Corporation

On Monday February 1, 2021 a will serve retail water and certificate of convenience and necessity (CCN) boundary modification agreement between the City of Waxahachie and the Sardis Lone-Elm Water Supply Corporation (Sardis) will appear before City Council for consideration. Specifically, this agreement will transfer approximately 74.45 acres of CCN from the City to Sardis, and Sardis will transfer approximately 220.36 acres of CCN to the City. In addition, approximately 110.57 acres will remain as dual certified CCN for both the City and Sardis. Staff recommends approval of this agreement, as it better aligns the City's service area from both a maintenance and future growth perspective. This agreement will become effective upon approval, and the City and Sardis will have five years upon execution to revise the official CCN boundaries with the Public Utility Commission of Texas.

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

Tommy Ludwig

(Jk)

**RETAIL WILL SERVE WATER SERVICE AREA
AGREEMENT BETWEEN THE CITY OF
WAXAHACHIE AND SARDIS-LONE ELM WATER
SUPPLY CORPORATION**

THIS AGREEMENT is made between the City of Waxahachie, a Texas home rule municipality (the "City") and Sardis-Lone Elm Water Supply Corporation, a member- owned corporation established under Chapter 67 of the Texas Water Code ("Sardis"), collectively the "Parties," pursuant to the following considerations:

WHEREAS, the City is a retail water service provider within Ellis County, Texas, under water Certificate of Convenience and Necessity ("CCN") No. 10915; and

WHEREAS, Sardis is a retail water service provider within Ellis County, Texas, under CCN No. 10058; and

WHEREAS, based on the ability of the Parties to better serve specific areas within the others CCN, the Parties wish to transfer certain areas within their respective CCNs.

NOW THEREFORE, the Parties, pursuant to the foregoing considerations, agree as follows:

1. **Term:** This Agreement shall remain valid and enforceable until superseded by subsequent written agreement

2. **Property Subject to the Agreement:** The Properties that are subject to this Agreement are depicted in Exhibit "A".

3. **Transfer of Water Utility Service Area:**

3.1 The City agrees to transfer approximately 74.45 acres of its CCN to Sardis as shown in Exhibit "A," which is attached and made a part of this Agreement.

3.2 Sardis agrees to transfer approximately 220.36 acres of its CCN to the City as shown in Exhibit "A", which is attached and made a part of this Agreement.

3.3 Sardis agrees to remove the water line filed with the Public Utility Commission of Texas as infrastructure in place along FM 664 within the City's CCN as shown in Exhibit "A", which is attached and made a part of this agreement.

3.4 The City and Sardis agree to establish approximately 110.57 acres as a

(2)

dual City and Sardis service area as shown in Exhibit "A", which is attached and made a part of this Agreement.

4. Public Utility Commission of Texas (PUCT) Approval: Within (5) years following the execution of this Agreement, the City and Sardis will file the appropriate documents requesting approval of this retail water service area agreement pursuant to applicable section(s) of the Texas Water Code. The Parties will fully cooperate with each other and not take any action to directly or indirectly oppose this application. Each party will pay their respective costs relating to the application.

5. Effective Date: This Will Serve Agreement is enforceable among the Parties following the execution of this Agreement by both Parties, and as such the Parties can begin immediacy providing service within the transfer areas, if they have not already begun to do so, as shown in Exhibits "A" upon execution. The official CCN transfers contemplated by this Agreement will be effective upon approval by the PUCT. If the CCN transfers contemplated by this Agreement are not completed by the specified time period as defined in Section 4, this Will Serve Agreement will remain in effect unless this Agreement is modified or terminated by both Parties.

6. Existing Customers: The Parties agree that any existing customer(s) located within the services areas modified by this Agreement may elect to remain with their current service provider, be it either the City or Sardis. The existing customer(s) may elect to change service provider at any time, however once service has been established with the new service provider, as outlined by this Agreement, the customer(s) or future customer(s) at the same address may not revert back to the previous service provider. New service accounts established at the same address of an existing customer, in the event of an ownership or tenant change where the use remains unchanged, if served by the previous service provider, may elect to continue to be served by the previous service provider or the new service provider. In the event of a use change, new service must be established with the new service provider.

7. Applicable Texas Law: This Agreement will be governed by and construed and enforced under the laws of the State of Texas.

8. Venue: The sole and exclusive venue for any disputes arising out of or related to this Agreement shall be in Ellis County, Texas.

9. Successors and Assigns: This Agreement shall be binding on and inure to the benefit of the Parties hereto and their respective successors and assigns.

10. Entire Agreement: This Agreement contains the entire agreement of the Parties with respect to the subject matter of the Agreement. This Agreement supersedes any and all prior agreements, arrangements, or understandings between the parties. Any amendments to this Agreement must be in writing and signed by the Parties.

[Remainder of page intentionally left blank; signature page as follows]

(ole)

CITY OF WAXAHACHIE, TEXAS:

EXECUTED by the City of Waxahachie on this the ____ day of _____
2021.

By: _____
David Hill, Mayor

ATTEST:

Lori Cartwright, City Secretary

SARDIS-LONE ELM WATER SUPPLY CORPORATION:

EXECUTED by Sardis-Lone Elm Water Supply Corporation on this the 22 day of
January 2021.

By: _____
Paul Tischler, General Manager

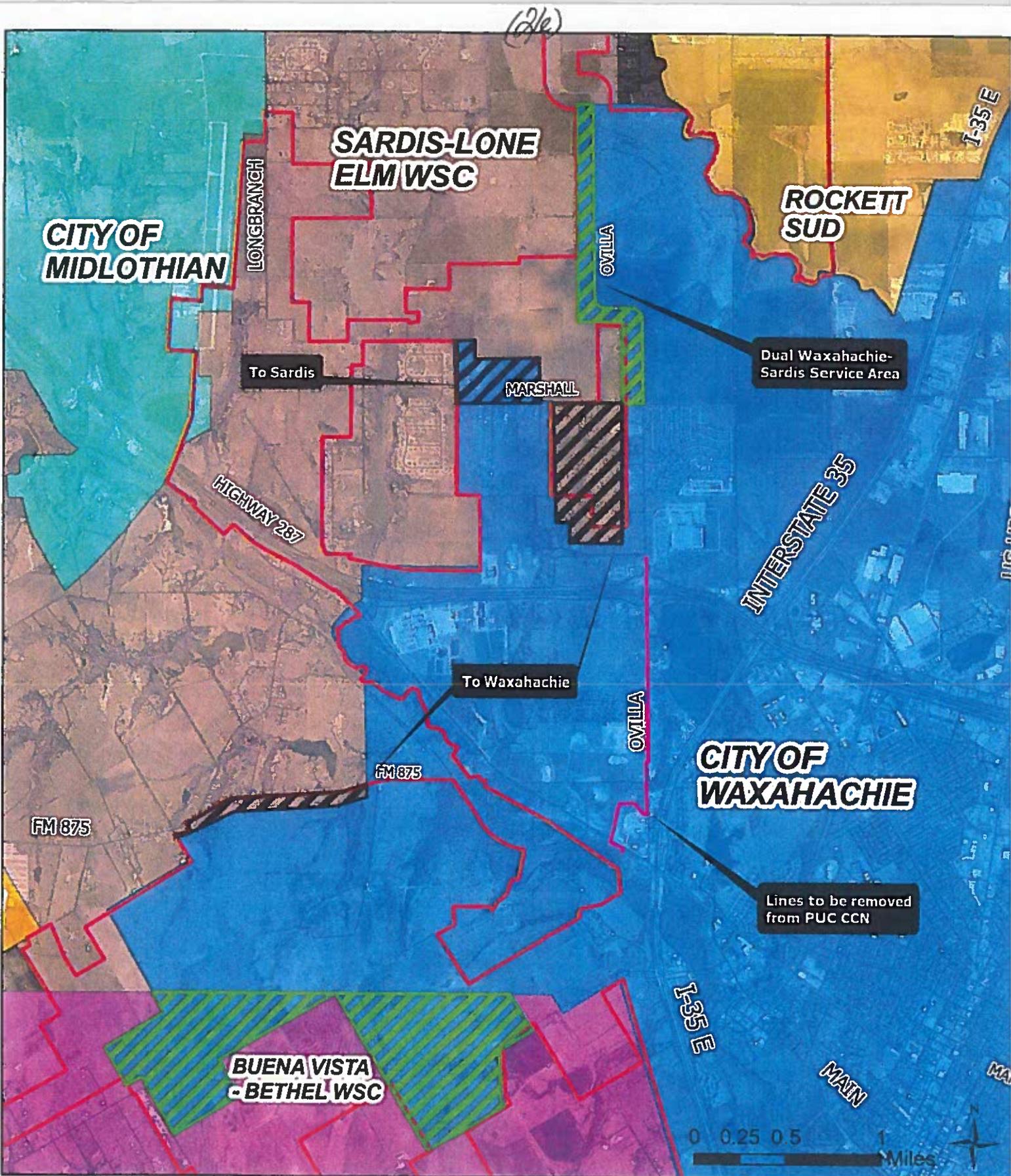


Exhibit A

As of 9/16/2020

Legend	
City Limit	BUENA VISTA - BETHEL WSC
Dual Covered Areas	CITY OF MIDLOTHIAN
Exchange Areas	CITY OF WAXAHACHIE
Old Sardis Facility Lines	MOUNTAIN PEAK SUD
	ROCKETT SUD
	SARDIS-LONE ELM WSC

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

(21)



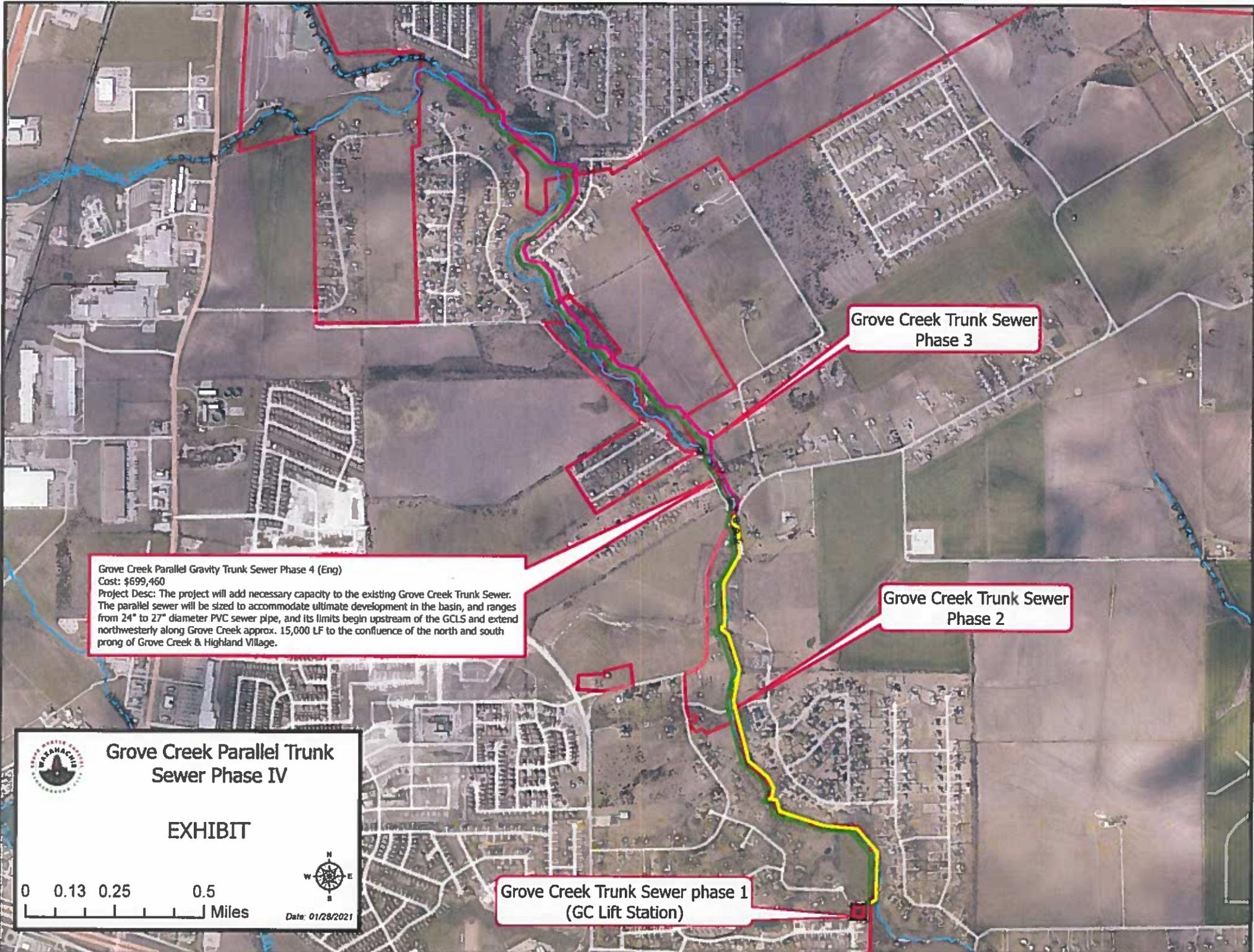
Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: January 29, 2021
Re: Grove Creek Parallel Gravity Trunk Sewer Phase IV

On Monday February 1, 2021 an item authorizing professional services with Birkhoff Hendricks and Carter, LLP for Grove Creek Parallel Gravity Trunk Sewer Phase IV will appear before the City Council for consideration, in the amount of \$699,460. The item will authorize engineering design, bid specification preparation, land acquisition services, and construction support services. Specifically this item will provide for the design of approximately 15,000 linear feet of 24-27 inch diameter parallel sewer pipeline, manholes, and appurtenances upstream of the Grove Creek Lift Station and extending northwesterly along Grove Creek to confluences of the north and south prong of Grove Creek at Highland Village. This project will meet the existing needs of the wastewater collection system and provide additional capacity for new development in the Grove Creek basin. The project is in City's Capital Improvement Plan, was funded in the FY 2019-20 Bond Sale, and is within the approved budget amount.

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

Tommy Ludwig



Grove Creek Parallel Gravity Trunk Sewer Phase 4 (Eng)
Cost: \$699,460
Project Desc: The project will add necessary capacity to the existing Grove Creek Trunk Sewer. The parallel sewer will be sized to accommodate ultimate development in the basin, and ranges from 24" to 27" diameter PVC sewer pipe, and its limits begin upstream of the GCLS and extend northwesterly along Grove Creek approx. 15,000 LF to the confluence of the north and south prong of Grove Creek & Highland Village.

Grove Creek Trunk Sewer Phase 3

Grove Creek Trunk Sewer Phase 2

Grove Creek Trunk Sewer phase 1 (GC Lift Station)



Grove Creek Parallel Trunk Sewer Phase IV

EXHIBIT



Date: 01/28/2021

121