

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on **Monday, October 18, 2021 at 7:00 p.m.**

Council Members: Doug Barnes, Mayor, Council Member Place 2  
Billie Wallace, Mayor Pro Tem, Council Member Place 4  
David Hill, Council Member Place 1  
Melissa Olson, Council Member Place 3  
Travis Smith, Council Member Place 5

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

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 October 4, 2021
  - b. Minutes of the City Council briefing of October 4, 2021
  - c. Event application for Neighborhood Family Night on October 24, 2021
  - d. Event application for Community Tree Lighting & Parade on November 30, 2021
  - e. Event application for Santa Run to be held December 11, 2021
  - f. City Manager's appointment to Civil Service Commission
  - g. Resolution adopting time limit for Public Comments
6. **Continue Public Hearing** on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021)
  7. **Consider** proposed Ordinance approving ZDC-133-2021
  8. **Public Hearing** on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)

9. **Consider** proposed Ordinance approving ZDC-146-2021
10. **Public Hearing** on a request by Sidney Stratton, Manhard Consulting, for a Specific Use Permit (SUP) for an Auto Repair Facility (Caliber Collision) use within a Light Industrial-1 zoning district located at North Highway 77 (Property ID 222752) - Owner: ADEMM 1 FAMILY LIMITED PARTNERSHIP LTD (ZDC-150-2021)
11. **Consider** proposed Ordinance approving ZDC-150-2021
12. **Continue Public Hearing** on a request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)
13. **Consider** proposed Ordinance approving ZDC-116-2021
14. **Public Hearing** on a request by Justin Bright, Bright Pools. LLC, for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Single Family-2 zoning district located at 201 E University (Property ID 176324) - Owner: JASON W & JACLYN L WILSON (ZDC-141-2021)
15. **Consider** proposed Ordinance approving ZDC-141-2021
16. **Continue Public Hearing** request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021).
17. **Consider** proposed Ordinance approving ZDC-140-2021
18. **Public Hearing** on a request by George Salvador for a Zoning Change from a Single Family-1 Zoning to Planned Development-Single Family zoning district, located at 401 Ovilla Road (Property ID 205458 and 171253) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)
19. **Consider** proposed Ordinance approving ZDC-142-2021
20. **Consider** approval of Development Agreement for ZDC-142-2021
21. **Consider** adoption of Lake Parks Master Plan
22. Comments by Mayor, City Council, City Attorney and City Manager
23. Adjourn

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

(5a)

City Council  
October 4, 2021

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, October 4, 2021 at 7:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2  
Billie Wallace, Mayor Pro Tem, Council Member Place 4  
David Hill, Council Member Place 1  
Melissa Olson, Council Member Place 3  
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Shon Brooks, Executive Director of Development Services  
Gumaro Martinez, Executive Director Park & Leisure Services  
Richard Abernethy, Director of Administrative Services  
Robert Brown, City Attorney  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Doug Barnes called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Richard Cody, Ellis County Baptist Association, gave the invocation. Mayor Pro Tem Billie Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Ira Tenpenny, 109 Rosa, Waxahachie, Texas, expressed concern with allowing junk vehicles to be covered by tarps. He requested City Council review the ordinance and have unsightly vehicles removed.

Jacob Calvit, 1302 Martha Street, Waxahachie, Texas, requested the City of Waxahachie celebrate Arbor Day in 2022 and noted he volunteers to assist.

Alan Fox, 327 University, Waxahachie, Texas, spoke in opposition to City Council limiting Public Comments to five minutes.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of September 20, 2021
- b. Minutes of the City Council briefing of September 20, 2021
- c. Minutes of the City Council Work Session of September 30, 2021
- d. Street closure request for 25<sup>th</sup> Annual Texas Country Reporter Festival to be held October 23, 2021
- e. Event application for Big-Al-O-Ween Party on October 30, 2021

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- f. Event application for Gingerbread Trail Car Show on June 4, 2022
- g. Event application for Cars in the Park Car Show on July 16, 2022
- h. Event application for Waxahachie Fun Run Car Show on August 20, 2022
- i. Event application for St. Jude Car Show on October 1, 2022
- j. Supplemental Appropriation to carry forward unencumbered Wags-A-Hachie Dog Park Project Funds into FY22
- k. Supplemental Appropriation to the FY22 Civic Center Budget for the replacement of HVAC compressor

**Action:**

*Council Member David Hill moved to approve items a. through k. on the Consent Agenda. Council Member Travis Smith seconded, All Ayes.*

**6. Present Proclamation proclaiming October 8, 2021 as Markert Strong Day in Waxahachie**

Mayor Barnes read a Proclamation proclaiming October 8, 2021 as Markert Strong Day in Waxahachie and presented it to Jackson Markert, alongside his family and friends.

**7. Recognition of Waxahachie Police Department for meeting all standards in the Texas Police Chief Association Best Practices Program**

Rob Severance, Cleburne Police Chief, recognized the Waxahachie Police Department for meeting all standards in the Texas Police Chief Association Best Practices Program. He explained the Police Department has earned this designation since 2013.

Police Chief Wade Goolsby thanked Lieutenant Marcus Brown for his effort to recertify the Waxahachie Police Department and recognized the accomplishment of the Department as a whole.

Mayor Barnes thanked Chief Goolsby and extended his congratulations to the Waxahachie Police Department.

**8. Public Hearing on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021)**

Mayor Barnes opened the Public Hearing and announced the applicant requested to continue ZDC-133-2021 to the October 18, 2021 City Council meeting.

**9. Consider proposed Ordinance approving ZDC-133-2021**

**Action:**

*Council Member David Hill moved to continue the Public Hearing on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021) to the October 18, 2021 City Council meeting. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

- 10. Public Hearing on a request by Andrew Garrett, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 800 Sycamore St (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES, LLC (ZDC-134-2021)**

Mayor Barnes opened the Public Hearing and announced the applicant requested to continue ZDC-134-2021 to the November 1, 2021 City Council meeting.

- 11. Consider proposed Ordinance approving ZDC-134-2021**

**Action:**

*Council Member David Hill moved to continue the Public Hearing on a request by Andrew Garrett, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 800 Sycamore St (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES, LLC (ZDC-134-2021) to the November 1, 2021 City Council meeting. Council Member Melissa Olson seconded, All Ayes.*

- 12. Public Hearing on a request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021)**

Mayor Barnes opened the Public Hearing and announced the applicant requested to continue ZDC-140-2021 to the October 18, 2021 City Council meeting.

- 13. Consider proposed Ordinance approving ZDC-140-2021**

**Action:**

*Council Member David Hill moved to continue the Public Hearing on a request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021) to the October 18, 2021 City Council meeting. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

- 14. Continue Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021)**

Mayor Barnes continued the Public Hearing and announced the applicant requested to continue ZDC-122-2021 to the November 15, 2021 City Council meeting.

- 15. Consider proposed Ordinance approving ZDC-122-2021**

**Action:**

*Council Member David Hill moved to continue the Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) -*

*Owner: SATURN STAR REALTY, LLC (ZDC-122-2021) to the November 15, 2021 City Council meeting. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

- 16. Continue Public Hearing on a request by Josh Dunlap for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)**

Mayor Barnes continued the Public Hearing and announced at the September 28, 2021 Planning and Zoning meeting, the Planning and Zoning Commission voted 6-0 to continue ZDC-105-2021.

- 17. Consider proposed Ordinance approving ZDC-105-2021**

**Action:**

*Council Member David Hill moved to continue the Public Hearing on a request by Josh Dunlap for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021) to the November 15, 2021 City Council meeting. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

- 18. Consider request by Kendell Wiley, for a Replat of Lots 1R-A, Block A, to create Lots 1RA & 1R-B, Block A, Wiley's Retail, being 0.996 acres (Property ID 231665) – Owner: KENDELL L & MICHELLE L WILEY (SUB-135-2021)**

Shon Brooks, Executive Director of Development Services, presented the case noting the applicant is requesting to replat the subject property from one (1) lot to two (2) lots for general retail use. The applicant is also requesting a Petition of Relief Waiver for the right-of-way (ROW) dedication requirement along Brown Street due to existing landscaping and parking.

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve a request by Kendell Wiley, for a Replat of Lots 1R-A, Block A, to create Lots 1RA & 1R-B, Block A, Wiley's Retail, being 0.996 acres (Property ID 231665) – Owner: KENDELL L & MICHELLE L WILEY (SUB-135-2021) and approve petition of relief waiver. Council Member Melissa Olson seconded, All Ayes.*

- 19. Consider request by Edison Calvopina, ES ARQ Studio, LLC for a Plat of Carrera Ranch for thirteen (13) residential lots being 16.000 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 277733) in the Extra Territorial Jurisdiction - Owner: Stella Rose Homes, LLC (SUB-56-2020)**

Mr. Brooks presented the case noting the applicant is requesting to plat the property into thirteen (13) lots for single-family residential use in the ETJ. The applicant is also requesting a Petition of Relief Waiver to exceed the maximum length requirement for a dead-end street and a Petition of Hardship Wavier due to inadequate fire flow to the properties. Staff spoke with the Ellis County Fire Marshall's office and they had no objections to the hardship waiver for inadequate fire flow. Staff recommends approval as presented.

(5a)

**Action:**

*Council Member Melissa Olson moved to approve a request by Edison Calvopina, ES ARQ Studio, LLC for a Plat of Carrera Ranch for thirteen (13) residential lots being 16.000 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 277733) in the Extra Territorial Jurisdiction - Owner: Stella Rose Homes, LLC (SUB-56-2020) as presented. Mayor Pro Tem Billie Wallace seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, and Melissa Olson. Noes: David Hill and Travis Smith.*

*The motion carried.*

**20. Public Hearing on a request by Patty Dickerson, for a Specific Use Permit (SUP) for a Clothing Recycling Bin located at 402 N College Street (Property ID 193309) - Owner: CENTRAL PRESBYTERIAN CHURCH (ZDC-136-2021)**

Mr. Brooks presented the case noting the applicant is requesting a Specific Use Permit to allow two (2) clothing recycle bins to be located at 204 E. Parks Avenue and staff recommends approval.

Mayor Barnes opened the Public Hearing.

Ms. Patty Dickerson, 606 Jordan Lane, Waxahachie, Texas, reported the church has committed to keeping the area clean and if they are unable to do so, the recycle bins will be removed. She explained the money received from the bins are deposited into the mission budget for the church and is used to provide mission work around Waxahachie and to serve the students and staff at Marvin Elementary throughout the school year.

Mayor Pro Tem Billie Wallace commended the church for keeping the area clean.

Council Member Travis Smith applauded the church for partnering with Waxahachie ISD.

Those who spoke in favor:

Ira Tenpenny, 109 Rosa Street, Waxahachie, Texas

There being no others to speak for or against ZDC-136-2021, Mayor Barnes closed the Public Hearing.

**21. Consider proposed Ordinance approving ZDC-136-2021**

**ORDINANCE NO. 3296**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC CLOTHING BIN DONATION BOX USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 204 E PARKS AVENUE, BEING PROPERTY ID 170631, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 16 & 17 A-B-D & 18 A-B & 19, BLOCK 9, TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

(5a)

**Action:**

*Mayor Pro Tem Billie Wallace moved to approve Ordinance No. 3296. Council Member Travis Smith seconded, All Ayes.*

- 22. Continue Public Hearing on a request by Brad Yates, Colonial Restoration Group, Inc. for Planned Development (PD) to allow a Private Club (Event Center) use within a Single Family-3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)**

Mr. Brooks presented the case noting the owner added additional parallel parking within the right-of-way to alleviate parking concerns from City Council and staff.

Mayor Barnes continued the Public Hearing.

Brad Yates, 626 Kaufman Street, Waxahachie, Texas, expressed his concern with adding parking spaces to the right-of-way noting his initial plan was to deter street parking. He explained he is agreeable to the revised site plan if City Council approves.

Council Member Melissa Olson noted she believes the additional parking will deter off-street parking.

Council Member David Hill asked if the applicant if he was agreeable to eliminating the right-of-way parking and Mr. Yates noted he was.

Chris Wright, 808 W. Marvin, Waxahachie, Texas, asked if Mr. Yates will be the owner/operator of the venue and Mr. Yates confirmed he would.

There being no others to speak for or against ZDC-131-2021, Mayor Barnes closed the Public Hearing.

- 23. Consider proposed Ordinance approving ZDC-131-2021**

**ORDINANCE NO. 3297**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), TO ALLOW A PRIVATE CLUB (EVENT CENTER), LOCATED AT 716 DUNAWAY STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.873 ACRES KNOWN AS PROPERTY ID 193948, BEING LOT 5 OF THE BULLARD REVISED SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member David Hill moved to approve Ordinance No. 3297 and eliminate the six (6) parking spaces on Avenue C. Council Member Melissa Olson seconded, All Ayes.*

- 24. Consider Development Agreement for ZDC-131-2021**

**Action:**

*Council Member David Hill moved to approve a Development Agreement for ZDC-131-2021. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**25. Consider proposed Resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Years 2022-2023**

City Manager Michael Scott explained City Council can submit up to five nominations for the Ellis Appraisal District Board of Directors and an official ballot will be provided at a later date.

**RESOLUTION NO. 1316**

**RESOLUTION OF CANDIDATE NOMINATIONS FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEARS 2022-2023**

**Action:**

*Council Member Travis Smith moved to approve Resolution No. 1316 nominating Ryan Pitts and Logan Brady. Mayor Pro Tem Billie Wallace seconded, the vote was as follows: Ayes: Doug Barnes, Billie Wallace, David Hill, and Travis Smith. Noes: Melissa Olson.*

*The motion carried.*

**26. Consider proposed Resolution approving the City of Waxahachie Investment Policy as required by the Texas Public Funds Investment Act**

Finance Director Chad Tustison presented the proposed Resolution noting the City Council is required to approve the City’s Investment Policy annually in compliance with the State of Texas Public Funds Investment Act. The Investment Policy outlines the City’s investment strategy, standards of care, authorized investments, policy guidelines, prohibited investments and reporting.

**RESOLUTION NO. 1317**

**A RESOLUTION APPROVING AND ADOPTING THE CITY OF WAXAHACHIE INVESTMENT POLICY, AND DECLARING AN EFFECTIVE DATE.**

**Action:**

*Council Member David Hill moved to approve Resolution No. 1317. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**27. Consider proposed Ordinance setting Water and Wastewater Fees**

Kip Dernovich, Assistant Utilities Director, presented the proposed ordinance setting water and wastewater fees. He explained the increase in fees will allow the Utilities Department to cover operational costs and still provide services at an efficient rate.

**ORDINANCE NO. 3298**

**AN ORDINANCE SETTING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 11, 2021 AND DECLARING AN EMERGENCY.**

**Action:**

*Council Member David Hill moved to approve Ordinance No. 3298. Council Member Travis Smith seconded, All Ayes.*

Council Member Hill noted the raised fees are not for existing customers but for new meters on new construction builds and a cost recovery effort.

Mayor Pro Tem Wallace noted the fees have not been updated since 2017.

**28. Consider contract with Taft & Associates to provide a Crisis Response Specialist**

Police Chief Wade Goolsby requested approval of a contract with Taft & Associates to provide a Crisis Response Specialist. The annual contract of \$88,000 would cover all salary and benefits but would not include any potential overtime. The contract would provide a full-time employee to the police department but have the resources of an entire organization to support that individual.

Council Member Olson expressed her excitement for the position to serve our community and our first responders.

Mayor Barnes thanked Dr. Philip Taft for his work.

**Action:**

*Council Member Melissa Olson moved to approve the contract with Taft & Associates to provide a Crisis Response Specialist. Mayor Pro Tem Billie Wallace seconded, All Ayes.*

**29. Convene into Executive Session to review Performance Evaluation for City Manager as permitted by Section 551.074 of the Texas Government Code**

Mayor Barnes announced at 8:05 p.m. the City Council would convene into Executive Session to review Performance Evaluation for City Manager as permitted by Section 551.074 of the Texas Government Code.

**30. Reconvene and take any necessary action**

The meeting reconvened at 8:48 p.m.

Mayor Barnes stated City Manager Michael Scott has done well leading the City and the city will continue to move forward with Mr. Scott's efforts. He explained improving the quality of life for the citizens is important. He expressed his appreciation for Mr. Scott's staff.

**Action:**

*Mayor Pro Tem Billie Wallace moved to extend the employment contract with City Manager Michael Scott for an additional year. Council Member David Hill seconded, All Ayes.*

**31. Comments by Mayor, City Council, City Attorney and City Manager**

Executive Director of Development Services Shon Brooks recognized Kip Demovich, Brandon Lacy, Richard Abernethy, Chad Tustison, and Keith Kee for their work on updating the water and wastewater fee ordinance.

Deputy City Manager Albert Lawrence expressed his appreciation of City staff noting they reflect Michael's vision and leadership.

Council Member Travis Smith reiterated the fee increases approved this evening will only affect new builds and will not impact current residents. Council Member Smith congratulated Police Chief Goolsby on their recertification.

Council Member Melissa Olson congratulated Police Chief Goolsby and the entire Waxahachie Police Department. Council Member Olson recognized City Manager Michael Scott's commitment to excellence. She offered prayers for Jackson Markert and his family.

City Manager Michael Scott recognized Chad Tustison, Marianna Dunn, and the Finance team for their work on the Investment Policy. He congratulated Police Chief Goolsby and thanked staff for all their work. Mr. Scott thanked City Council for their confidence and for the vision they have set forth.

Mayor Pro Tem Billie Wallace congratulated Police Chief Goolsby and the Waxahachie Police Department. She thanked Mr. Scott and Chief Goolsby for their work on enhancing security measures during City Council meetings.

Council Member David Hill thanked Mr. Scott for his leadership and congratulated Police Chief Goolsby and the Waxahachie Police Department.

City Attorney Robert Brown thanked current and past City Council for their support and credited them to contributing to the City's success.

Mayor Barnes thanked those in attendance and requested continued prayers and support for Jackson Markert.

**32. Adjourn**

There being no further business, the meeting adjourned at 8:57 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

City Council  
October 4, 2021

(5b)

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, October 4, 2021 at 6:00 p.m.

Council Members Present: Doug Barnes, Mayor, Council Member Place 2  
Billie Wallace, Mayor Pro Tem, Council Member Place 4  
David Hill, Council Member Place 1  
Melissa Olson, Council Member Place 3  
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Shon Brooks, Executive Director of Development Services  
Gumaro Martinez, Executive Director Park & Leisure Services  
Richard Abernethy, Director of Administrative Services  
Robert Brown, City Attorney  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Doug Barnes called the meeting to order.

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

City Manager Michael Scott thanked City Council for the new fiscal year budget and he reviewed the following agenda items:

- Items 5d-5i. event applications for Texas Country Reporter Festival to be held October 23, 2021, Big Al-O-Ween Party on October 30, 2021, Gingerbread Trail Car Show on June 4, 2022, Cars in the Park Car Show on July 16, 2022, Waxahachie Fun Run Car Show on August 20, 2022, and St. Jude Car Show on October 1, 2022.
- Item 6. Markert Strong Day in Waxahachie Proclamation.
- Item 25. Ryan Pitts, Logan Brady, and John Tabor were suggested by some Council members. He explained all five members terms are expiring and Council may nominate up to five people. Once the ballot is finalized by the Ellis County Appraisal District, City Council will vote by resolution in December.

Gumaro Martinez, Executive Director Park & Leisure Services, reviewed the following items:

- Item 5j. supplemental appropriation to carry forward the unencumbered portion (\$45,643.44) of approved FY21 funding to FY22 for improvements at the Wags-A-Hachie Dog Park.
- Item 5k. supplemental appropriation increasing FY22 Civic Center budget for maintenance, building (upkeep) by \$45,000, plus a 10% contingency for the compressor replacement.

Mr. Scott and Mr. Martinez explained the urgency of this request and noted the item will be added to the next Waxahachie Community Development Corporation agenda so the Board is aware of the expense.

Police Chief Wade Goolsby reviewed the following items:

- Item 7. the Waxahachie Police Department is receiving its second recertification for meeting all standards in the Texas Police Chief Association Best Practices Program.
- Item 28. requested approval to contract with Taft & Associates to fill the position of Crisis Response Specialist under their organization's name and supervision. He explained the contract would provide a full-time employee at the Police Department but would have the resources of an entire organization for support. City Council approved a budget of \$97,6565 in salary and benefits for the position and the contract is for \$88,000 which will cover salary and benefits, but not any potential overtime.

Shon Brooks, Executive Director of Development Services, reviewed the following agenda items:

- Items 8-9. ZDC-133-2021, applicant requested to continue this case to the October 18, 2021 City Council meeting.
- Items 10-11. ZDC-134-2021, applicant requested to continue this case to the November 1, 2021 City Council meeting.
- Items 12-13. ZDC-140-2021, applicant requested to continue this case to the October 18, 2021 City Council meeting.
- Items 14-15. ZDC-122-2021, applicant requested to continue this case to the November 15, 2021 City Council meeting.
- Items 16-17. ZDC-105-2021, the Planning & Zoning Commission continued the case to the November 15, 2021 City Council meeting.
- Item 18. SUB-135-2021, applicant is requesting to replat the subject property from one (1) lot to two (2) lots for general retail. Due to the right-of-way dedication, the applicant is also requesting a Petition of Relief Waiver. Staff recommends approval as presented.
- Item 19. SUB-56-2020, applicant is requesting to plat the subject property into thirteen (13) lots for single family residential use. The applicant is also requesting a Petition of Relief Waiver to exceed the maximum length requirement for a dead-end street. The applicant is also requesting a Petition of Hardship Request due to fire flow to homes within the subdivision. Due to the Ellis County Fire Marshall's support of the proposed development, Staff recommends approval as presented.
- Items 20-21. ZDC-136-2021, applicant is requesting a Specific Use Permit to allow two (2) recycling bins to be located at 204 E Parks Ave. Staff recommends approval per staff comments.
- Items 22-24. ZDC-131-2021, applicant is requesting to change the zoning from Single-Family-3 (SF-3) to Planned Development-Single-Family-3 (PD-SF-3) to allow a private club (event center) use. The applicant added nine additional parking spaces to the revised site plan. Staff recommends approval as presented.

(5b)

City Council  
October 4, 2021  
Page 3

Finance Director Chad Tustison reviewed Item 26. noting the proposed Investment Policy outlines the City's investment strategy, standards of care, authorized investments, policy guidelines, prohibited investments and reporting. He explained approval of the Investment Policy is required by the Texas Public Funds Investment Act.

Assistant Utilities Director Kip Dernovich reviewed Item 27. noting the increase in water and waste water service fees is to cover the price of operations. He explained the last increase was in 2017 and current rates are not covering operational costs. Even with the proposed increases, the Utilities still charge some of the lowest, if not the lowest, fees compared to other local jurisdictions.

Council Member Melissa Olson asked if the fee increases will affect current residents and Mr. Dernovich noted the increased fees are for newly set meters with new construction.

### **3. Adjourn**

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary



(50)

RECEIVED IN  
CITY SECRETARY'S OFFICE  
9-30-21  
CITY OF WAXAHACHIE, TEXAS

### Application for a Festival or Event Permit

Event Name and Description: Neighborhood Family night  
Community event for church members and  
neighborhood. Providing entertainment/Food

#### Applicant Information

Name: Lennon Noland

Address: 237 Greathouse Circle

City, State, Zip: Waxahachie, TX 75167 Phone: 325-212-7744

E-mail Address: Lnoland@trinitychurch.org

#### Organization Information

Organization Name: Trinity Church Waxahachie

Address: 515 E Marvin Ave Waxahachie, TX 75165

Authorized Head of Organization: Lennon Noland

Phone: 325-212-7744 E-mail Address: Lnoland@trinitychurch.org

#### Event Chairperson/Contact

Name: Ashley Garcia

Address: 501 Houston Street Apt 201C

City, State, Zip: Waxahachie, TX 75165 Phone: 832-971-8971

E-mail Address: agarcia@trinitychurch.org

#### Event Information

Event Location/Address: Trinity Church Waxahachie

Purpose: TO bless our surrounding community

Event Start Date and Time: 10/24/21 5:30pm

Event End Date and Time: 10/24/21 7:30pm

(5c)

Approximate Number of Persons Attending Event Per Day: 250

Site Preparation and Set-Up Date and Time: Rousseau St., 3:30pm, 10/24/21

Clean-Up Completion Date and Time: 8pm, 10/24/21

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

Street closures for Rousseau St.

Requested City Services: \_\_\_\_\_

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

If yes, contact the City Health Inspector, (469) 309-4134, for permitting requirements and compliance.

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

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

Will dumpsters be needed? NO

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

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

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

[Signature]  
Signature of Applicant

9-20-21  
Date

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

(507)

## Crocker, Clarice

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Thursday, September 30, 2021 4:46 PM  
**To:** Crocker, Clarice  
**Subject:** Re: Trinity Church Neighborhood Family Night Event Application

I have no issues or concerns.

Sent from my iPhone

On Sep 30, 2021, at 16:34, Crocker, Clarice <ccrocker@waxahachie.com> wrote:

Please send all comments directly to me. I made an error and sent the original email to "Scott Brooks" with The Waxahachie Sun instead of Shon Brooks.

Thank you,

<image001.jpg>

**Clarice Crocker**  
Administrative Clerk  
City of Waxahachie  
Office: (469) 309-4008  
[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)

**Confidentiality Notice:** The information in this email may be confidential and/or privileged. This email is intended to be reviewed by only the individual or organization named above. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, use or copying of this email and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please contact the sender immediately and delete the material.

---

**From:** Crocker, Clarice  
**Sent:** Thursday, September 30, 2021 4:28 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Scott Brooks <scott@waxahachiesun.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber (avillarreal@waxahachie.com) <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** Trinity Church Neighborhood Family Night Event Application

Good afternoon,

(50

## Crocker, Clarice

---

**From:** Martinez, Gumaro  
**Sent:** Thursday, September 30, 2021 4:51 PM  
**To:** Crocker, Clarice  
**Subject:** RE: Trinity Church Neighborhood Family Night Event Application

No comments from Parks.

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

----- Original message -----

**From:** "Crocker, Clarice" <ccrocker@waxahachie.com>  
**Date:** 9/30/21 4:34 PM (GMT-06:00)  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>, Wade Goolsbey <wgoolsby@waxahachiepd.org>, "Griffith, Thomas" <john.griffith@waxahachie.com>, "Gaertner, James" <jgaertner@waxahachie.com>, "Massey, Matt" <mmassey@waxahachie.com>, "Martinez, Gumaro" <gmartinez@waxahachie.com>, "Martinez, Jose" <jose.martinez@waxahachie.com>, Me'Lony Jordan <mjordan@waxahachie.com>  
**Subject:** FW: Trinity Church Neighborhood Family Night Event Application

Please send all comments directly to me. I made an error and sent the original email to "Scott Brooks" with The Waxahachie Sun instead of Shon Brooks.

Thank you,



**Clarice Crocker**  
Administrative Clerk  
City of Waxahachie  
Office: (469) 309-4008  
[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)

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---

**From:** Crocker, Clarice  
**Sent:** Thursday, September 30, 2021 4:28 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Scott Brooks <scott@waxahachiesun.com>

(50)

**Crocker, Clarice**

---

**From:** Wade Goolsby <wgoolsby@waxahachiepd.org>  
**Sent:** Monday, October 4, 2021 9:46 AM  
**To:** Crocker, Clarice  
**Subject:** RE: Trinity Church Neighborhood Family Night Event Application

I have no issues with it as long as they don't cut off all access to any of the homes on Rousseau St.

**Wade G. Goolsby**  
Chief of Police  
Waxahachie Police Department  
630 Farley St.  
Waxahachie, TX 75165  
469-309-4414

---

**From:** Crocker, Clarice <ccrocker@waxahachie.com>  
**Sent:** Thursday, September 30, 2021 4:28 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; James Gaertner <jgaertner@waxahachie.com>; Matt Massey <mmassey@waxahachie.com>; Gumaro Martinez <gmartinez@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Scott Brooks <scott@waxahachiesun.com>  
**Cc:** Michael Scott <msscott@waxahachie.com>; Albert Lawrence <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** Trinity Church Neighborhood Family Night Event Application

Good afternoon,

Please see the event application attached for your review/comments. I spoke to the applicant and they would like to use barricades if they are available.

Thank you,



**Clarice Crocker**  
Administrative Clerk  
City of Waxahachie  
Office: (469) 309-4008  
[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)

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(50)

**Crocker, Clarice**

---

**From:** Gaertner, James  
**Sent:** Thursday, September 30, 2021 4:39 PM  
**To:** Crocker, Clarice  
**Subject:** RE: Trinity Church Neighborhood Family Night Event Application

I am ok with this.



**James Gaertner, PE, CFM**  
**Director of Public Works & Engineering**  
401 S. Rogers St.  
Waxahachie, TX 75165  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

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**From:** Crocker, Clarice  
**Sent:** Thursday, September 30, 2021 4:35 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Subject:** FW: Trinity Church Neighborhood Family Night Event Application

Please send all comments directly to me. I made an error and sent the original email to "Scott Brooks" with The Waxahachie Sun instead of Shon Brooks.

Thank you,



**Clarice Crocker**  
**Administrative Clerk**  
City of Waxahachie  
Office: (469) 309-4008  
[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)

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**From:** Crocker, Clarice  
**Sent:** Thursday, September 30, 2021 4:28 PM

(50)

**Crocker, Clarice**

---

**From:** Brooks, Shon  
**Sent:** Thursday, September 30, 2021 4:37 PM  
**To:** Crocker, Clarice  
**Subject:** Re: Trinity Church Neighborhood Family Night Event Application

I am ok with this application.

Sent from my iPhone

On Sep 30, 2021, at 4:31 PM, Crocker, Clarice <ccrocker@waxahachie.com> wrote:

Shon, please see the email below. I made an error and added "Scott Brooks" to the original email.

<image001.jpg>

**Clarice Crocker**  
Administrative Clerk  
City of Waxahachie  
Office: (469) 309-4008  
[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)

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---

**From:** Crocker, Clarice  
**Sent:** Thursday, September 30, 2021 4:28 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Scott Brooks <scott@waxahachiesun.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber (avillarreal@waxahachie.com) <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** Trinity Church Neighborhood Family Night Event Application

Good afternoon,

Please see the event application attached for your review/comments. I spoke to the applicant and they would like to use barricades if they are available.

(50)

**Crocker, Clarice**

---

**From:** Me'Lony Jordan  
**Sent:** Friday, October 15, 2021 9:38 AM  
**To:** Crocker, Clarice  
**Subject:** RE: Trinity Church Neighborhood Family Night Event Application

All food vendors/Mobile Food units Etc. are required to obtain a temp food establishment permit for the event. A mobile food permit does NOT cover the event. Guide lines and the application are available on the City of Waxahachie online portal.

It is the responsibility of the event Coordinator to ensure all permits are obtained prior to the event and posted onsite in plain view of the public.

If the Church plans to provide food that is prepped/held prepared and service at the church, intended and consumed by the congregation a permit is not needed.

Any further question and or clarification may be directed to me.



MeLony Jordan  
Health Inspector/CCO  
Office: (469) 309-4134  
Mobile: (972) 740-6724

---

**From:** Crocker, Clarice  
**Sent:** Thursday, September 30, 2021 4:28 PM  
**To:** Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <>wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Scott Brooks <scott@waxahachiesun.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** Trinity Church Neighborhood Family Night Event Application

Good afternoon,

Please see the event application attached for your review/comments. I spoke to the applicant and they would like to use barricades if they are available.

Thank you,



**Clarice Crocker**  
Administrative Clerk  
City of Waxahachie  
Office: (469) 309-4008  
[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)

(5d)



**Application for a Festival or Event Permit**

Event Name and Description: Community Tree Lighting and  
Lighted Night Parade  
Various city departments organizing + participating

**Applicant Information**

Name: Anita Simpson  
Address: 401 S. Rogers  
City, State, Zip: Waxahachie, TX 75165 Phone: 469-309-4111  
E-mail Address: asimpson@waxahachie.com

**Organization Information**

Organization Name: Various city departments  
Address: Waxahachie, TX 75165  
Authorized Head of Organization: Michael Scott  
Phone: 469-309-4002 E-mail Address: m.scott@waxahachie.com

**Event Chairperson/Contact**

Name: Anita Simpson  
Address: 401 S. Rogers  
City, State, Zip: Waxahachie, TX 75165 Phone: 469-309-4111  
E-mail Address: asimpson@waxahachie.com

**Event Information**

Event Location/Address: Tree Lighting - around the courthouse square  
Parade - see attached route  
Purpose: To kick off the holiday season in Waxahachie  
Event Start Date and Time: Tuesday, November 30, 2021 6 pm downtown activities  
6:30 pm parade

(5d)

Event End Date and Time: Tuesday, November 30, 2021 10 pm

Approximate Number of Persons Attending Event Per Day: 2000 + expected

Site Preparation and Set-Up Date and Time: Tuesday, Nov. 30, 2021 3pm DT 5pm parade

Clean-Up Completion Date and Time: Tuesday, Nov. 30, 2021 10pm DT 8pm parade

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

See attached maps for street closures and activities.

(Parade) - new route down Brown to Marvin to Rogers due to construction / (Tree Lighting) - blue lines indicate street closures; parking spaces will be closed off down both sides of S. Rogers for parade passage + opened after parade; petting zoo, photos of Santa, tattoos, etc.  
Will food and/or beverages be available and/or sold? YES/NO

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

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

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

Will dumpsters be needed? poly carts only.

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO possibly - none contracted yet If so, provide a copy of the current FAA License. Not sure; may allow @ a later time

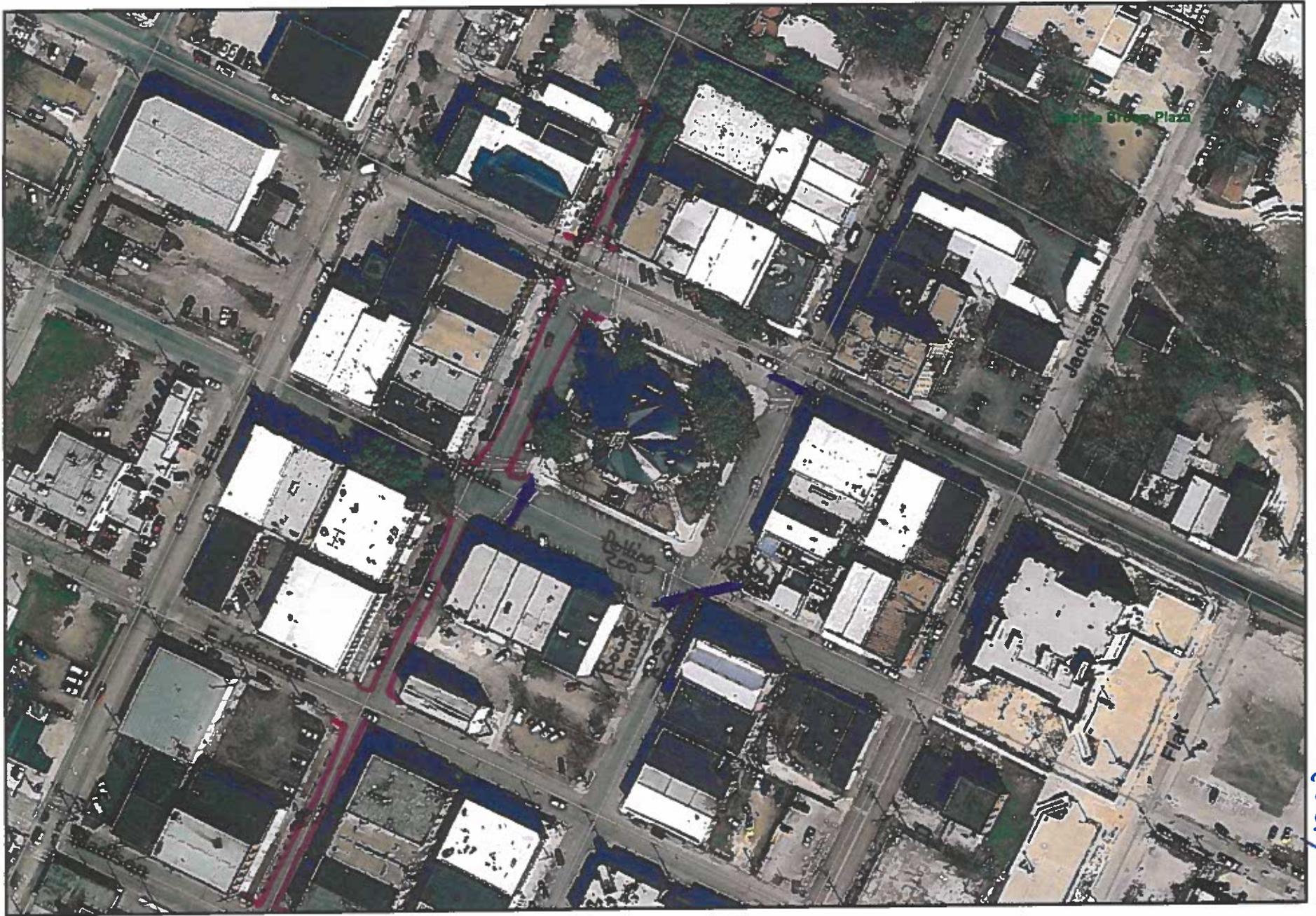
Please submit a site plan showing the layout of the event including equipment, stages, and street locations.

I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

Quinta Simpson  
Signature of Applicant

10/1/2021  
Date

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



(52)

2021 TREE LIGHTING  
— TUESDAY, NOV. 30, 2021  
6-10 pm



(5d)



October 14, 2021

Mr. Juan Paredes  
Texas Department of Transportation  
124 FM 876  
Waxahachie, TX 75167  
[juan.paredes@txdot.gov](mailto:juan.paredes@txdot.gov)

**SUBJECT: PARADE ROUTE REQUEST**

Dear Mr. Paredes:

The Waxahachie Chamber of Commerce and the City of Waxahachie are requesting permission to host a Christmas parade Tuesday, November 30, 2021, 6:30 pm along the following route:

- Line up at Getzendaner Park
- Proceed North on Grand Avenue
- East on Main Street (U.S. Hwy. 287 Bus.)
- South on Rogers Street
- End at the historic train depot

We are also requesting approval of this parade route from the City of Waxahachie.

Sincerely,

Laurie Mosley  
Waxahachie CVB Director

Cc: Ms. Amber Villarreal, City Secretary, City of Waxahachie  
Michael Scott, City Manager, City of Waxahachie

Waxahachie Convention & Visitors Bureau  
2000 Civic Center Lane, Waxahachie, TX 75165 • 469-309-4045



(5d)

**Bonner, Jami**

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Tuesday, October 5, 2021 12:16 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - Community Tree Lighting & Parade

I have no concerns with this request.

*Ricky Boyd, Fire Chief*

Waxahachie Fire-Rescue  
214-463-9335

---

**From:** Bonner, Jami [mailto:jami.bonner@waxahachie.com]  
**Sent:** Tuesday, October 5, 2021 12:01 PM  
**To:** Wade Goolsbey <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Simpson, Anita <asimpson@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>  
**Subject:** Event Application - Community Tree Lighting & Parade

For your review / comments. Thank you.

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

(5d)

**Bonner, Jami**

---

**From:** Brooks, Shon  
**Sent:** Tuesday, October 5, 2021 12:17 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - Community Tree Lighting & Parade

This looks good.

Shon

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, October 5, 2021 12:01 PM  
**To:** Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Simpson, Anita <asimpson@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>  
**Subject:** Event Application - Community Tree Lighting & Parade

For your review / comments. Thank you.

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

(5d)

**Bonner, Jami**

---

**From:** Wade Goolsby <wgoalsby@waxahachiepd.org>  
**Sent:** Tuesday, October 5, 2021 12:57 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - Community Tree Lighting & Parade

I don't have any issues.

**Wade G. Goolsby**  
Chief of Police  
Waxahachie Police Department  
630 Farley St.  
Waxahachie, TX 75165  
469-309-4414

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, October 5, 2021 12:01 PM  
**To:** Wade Goolsby <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Shon Brooks <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; James Gaertner <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Matt Massey <mmassey@waxahachie.com>; Gumaro Martinez <gmartinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Simpson, Anita <asimpson@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Michael Scott <msscott@waxahachie.com>; Albert Lawrence <alawrence@waxahachie.com>  
**Subject:** Event Application - Community Tree Lighting & Parade

For your review / comments. Thank you.

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

**Bonner, Jami**

---

**From:** Simpson, Anita  
**Sent:** Tuesday, October 5, 2021 2:03 PM  
**To:** Bonner, Jami; Wade Goolsbey; Ricky Boyd; Brooks, Shon; Martinez, Jose; Gaertner, James; Griffith, Thomas; Mosley, Laurie; Massey, Matt; Martinez, Gumaro; Me'Lony Jordan  
**Cc:** Villarreal, Amber; Scott, Michael; Lawrence, Albert  
**Subject:** RE: Event Application - Community Tree Lighting & Parade

No comments 😊

---

**From:** Bonner, Jami  
**Sent:** Tuesday, October 5, 2021 12:01 PM  
**To:** Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Simpson, Anita <asimpson@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>  
**Subject:** Event Application - Community Tree Lighting & Parade

For your review / comments. Thank you.

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City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

**Bonner, Jami**

---

**From:** Martinez, Gumaro  
**Sent:** Tuesday, October 5, 2021 5:27 PM  
**To:** Bonner, Jami; Wade Goolsbey; Ricky Boyd; Brooks, Shon; Martinez, Jose; Gaertner, James; Griffith, Thomas; Mosley, Laurie; Massey, Matt; Me'Lony Jordan  
**Cc:** Simpson, Anita; Villarreal, Amber; Scott, Michael; Lawrence, Albert  
**Subject:** RE: Event Application - Community Tree Lighting & Parade

No comments, I will forward to Brad and our staff to be prepared.

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

----- Original message -----

**From:** "Bonner, Jami" <jami.bonner@waxahachie.com>  
**Date:** 10/5/21 12:00 PM (GMT-06:00)  
**To:** Wade Goolsbey <wgoolsby@waxahachiepd.org>, Ricky Boyd <rboyd@waxahachiefire.org>, "Brooks, Shon" <sbrooks@waxahachie.com>, "Martinez, Jose" <jose.martinez@waxahachie.com>, "Gaertner, James" <jgaertner@waxahachie.com>, "Griffith, Thomas" <john.griffith@waxahachie.com>, "Mosley, Laurie" <lmosley@waxahachiecvb.com>, "Massey, Matt" <mmassey@waxahachie.com>, "Martinez, Gumaro" <gmartinez@waxahachie.com>, Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** "Simpson, Anita" <asimpson@waxahachie.com>, "Villarreal, Amber" <avillarreal@waxahachie.com>, "Scott, Michael" <mscott@waxahachie.com>, "Lawrence, Albert" <alawrence@waxahachie.com>  
**Subject:** Event Application - Community Tree Lighting & Parade

For your review / comments. Thank you.

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

**Bonner, Jami**

---

**From:** Gaertner, James  
**Sent:** Tuesday, October 5, 2021 5:23 PM  
**To:** Bonner, Jami; Wade Goolsbey; Ricky Boyd; Brooks, Shon; Martinez, Jose; Griffith, Thomas; Mosley, Laurie; Massey, Matt; Martinez, Gumaro; Me'Lony Jordan  
**Cc:** Simpson, Anita; Villarreal, Amber; Scott, Michael; Lawrence, Albert  
**Subject:** RE: Event Application - Community Tree Lighting & Parade

I don't have comments.

I will forward this to Matt, so he is aware of it.

Thanks,

**James Gaertner, PE, CFM, CPM**  
**Director of Public Works & Engineering**  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, October 5, 2021 12:01 PM  
**To:** Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Massey, Matt <mmassey@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Simpson, Anita <asimpson@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>  
**Subject:** Event Application - Community Tree Lighting & Parade

For your review / comments. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
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[www.waxahachie.com](http://www.waxahachie.com)

(5e)



**Application for a Festival or Event Permit**

Event Name and Description: YMLA SANTA RUN - A FAMILY FOCUSED  
5K + 1 MILE RUN, FEATURING EACH RUNNER WEARING  
A SANTA SUIT. PRE + POST RUN ACTIVITIES

**Applicant Information**

Name: JON McLAUGHLIN  
Address: 106 GREEN OAKS CIR  
City, State, Zip: WAXAHACHIE, TX 75165 Phone: 469-315-9995  
E-mail Address: JMCLAUGHLIN@YMLADALLAS.ORG

**Organization Information**

Organization Name: WAXAHACHIE FAMILY YMLA  
Address: 106 YMLA DRIVE  
Authorized Head of Organization: JON McLAUGHLIN  
Phone: 972-937-9602 E-mail Address: JMCLAUGHLIN@YMLADALLAS.ORG

**Event Chairperson/Contact**

Name: SAME   
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Event Information**

Event Location/Address: RAILYARD PARK 455 S. COLLEGE ST.  
Purpose: CANDLE WALK, USE OF AMPHITHEATER, RACE START + FINISH  
Event Start Date and Time: FRIDAY, DECEMBER 10, 2021 4PM  
Event End Date and Time: SATURDAY, DECEMBER 11, 2021 1PM

(5e)

Approximate Number of Persons Attending Event Per Day: 100 (FRIDAY) 800 (SATURDAY)

Site Preparation and Set-Up Date and Time: 10/10/21 - 4 PM

Clean-Up Completion Date and Time: 10/11/21 - 1 PM

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

LIVE MUSIC AND ACTIVITIES AT AMPHITHEATER (FRIDAY + SAT).

VENDOR BOOTHS ADJACENT TO STAGE. CLOSURE OF S. COLLEGE ST.

Requested City Services: PORTABLE RESTROOMS (4), (ADJACENT TO PARK)

40 TRAFFIC CONES ALONG ROGERS + FRANKLIN (MAP INCLUDED)

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

If yes, contact the City Health Inspector, (469) 309-4134, for permitting requirements and compliance.

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

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

Will dumpsters be needed? NO

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

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

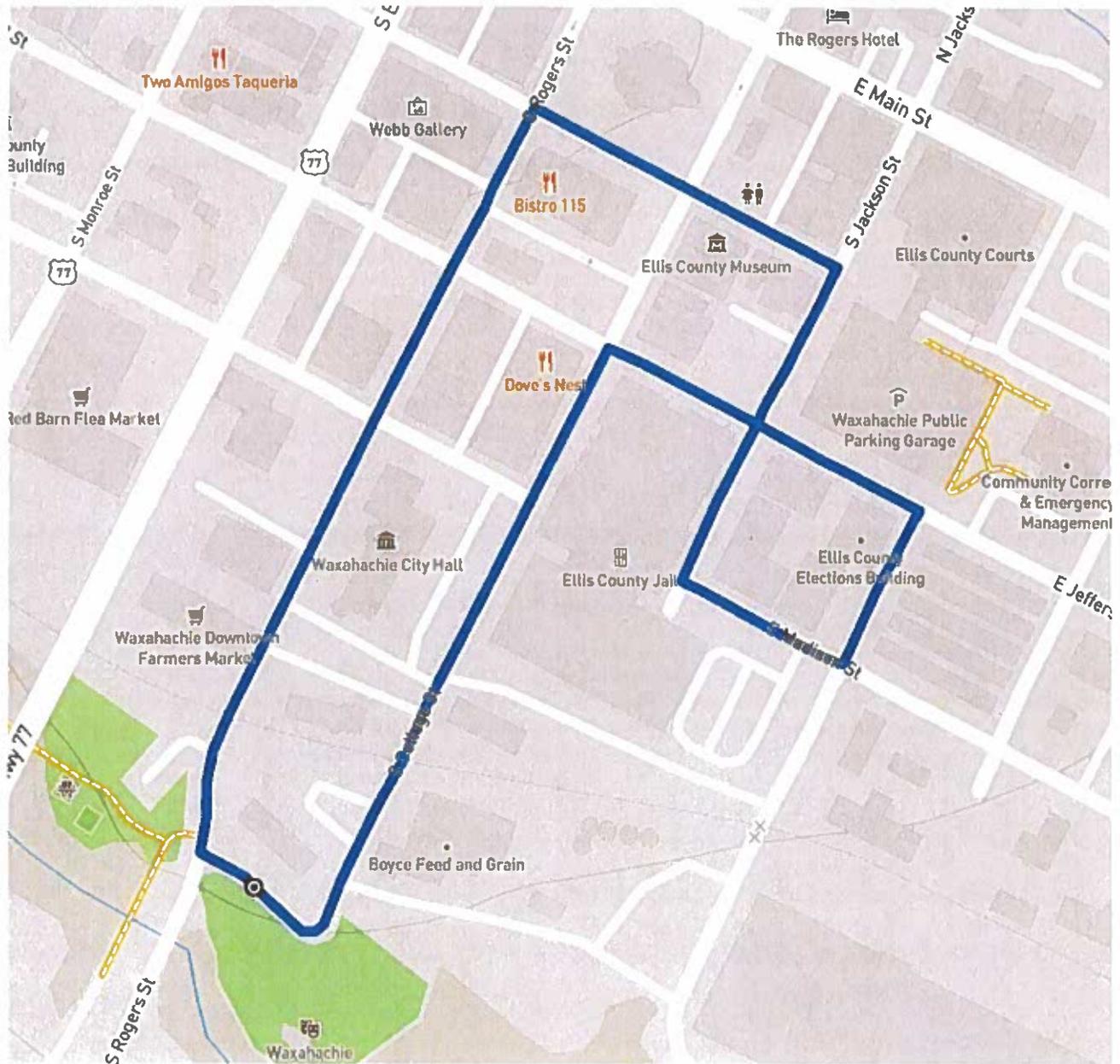
I, THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT. DUE TO COVID-19, I ALSO UNDERSTAND APPROVAL OF MY EVENT IS SUBJECT TO THE THEN CURRENT NECESSARY PRECAUTIONS RESULTING FROM COVID CASE TRENDS AS WELL AS ANY CHANGE IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL ORDERS.

[Signature]  
Signature of Applicant

9/30/2021  
Date

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

# YMCA Santa Run – 1 Mile Elf Run



- Running Path needed along Rogers and Franklin



(5e)

## Bonner, Jami

---

**From:** Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Sent:** Thursday, October 7, 2021 3:06 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application YMCA Santa Run

I have no concerns with this request.

*Ricky Boyd, Fire Chief*

Waxahachie Fire-Rescue  
214-463-9335

---

**From:** Bonner, Jami [mailto:jami.bonner@waxahachie.com]  
**Sent:** Thursday, October 7, 2021 2:48 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application YMCA Santa Run

For your review / comments. Thank you.

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

(5e)

**Bonner, Jami**

---

**From:** Martinez, Gumaro  
**Sent:** Thursday, October 7, 2021 4:07 PM  
**To:** Bonner, Jami; Simpson, Anita; Scott, Michael; Lawrence, Albert; Brooks, Shon; Gaertner, James; Massey, Matt; Wade Goolsbey; Ricky Boyd; Griffith, Thomas; Mosley, Laurie; Barnes, Bradley; Martinez, Jose  
**Cc:** Villarreal, Amber  
**Subject:** RE: Event Application

No comment

**Gumaro Martinez**  
**City of Waxahachie**  
**Executive Director of Parks & Leisure Services**  
401 S. Elm  
Waxahachie, TX 75165  
469.309.4271 direct  
214.903.3676 work cell  
[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)

*This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing or other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the sender immediately and delete the material.*

**From:** Bonner, Jami  
**Sent:** Wednesday, October 6, 2021 11:14 AM  
**To:** Simpson, Anita <asimpson@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>  
**Cc:** Villarreal, Amber <avillarreal@waxahachie.com>  
**Subject:** Event Application

Good morning,

The attached event application was submitted by the English Merchants Parlour. The applicant is requesting to place four tables outside their location on the sidewalk during the TX Country Reporter Festival. They are also requesting, "if possible", to utilize the three parking spaces in front of their location for tables. I have included the TCR map attached.

For your review / comments. Thank you.

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

(5e)

**Bonner, Jami**

---

**From:** Simpson, Anita  
**Sent:** Thursday, October 7, 2021 4:01 PM  
**To:** Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Skistimas, Kelly; Mosley, Laurie; Gaertner, James; Massey, Matt; Brooks, Shon; Martinez, Jose; Wade Goolsbey; Ricky Boyd; Me'Lony Jordan  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application YMCA Santa Run

No comments. Except that this is one of the cutest events we do. 😊

---

**From:** Bonner, Jami  
**Sent:** Thursday, October 7, 2021 2:48 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application YMCA Santa Run

For your review / comments. Thank you.

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

**Bonner, Jami**

---

**From:** Mosley, Laurie  
**Sent:** Monday, October 11, 2021 12:03 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application YMCA Santa Run

I see no issue with this event as it relates to our department. We look forward to working with the YMCA on another successful event.

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Thursday, October 7, 2021 2:48 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Wade Goolsbey <>wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application YMCA Santa Run

For your review / comments. Thank you.

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

(5e)

## Bonner, Jami

---

**From:** Gaertner, James  
**Sent:** Monday, October 11, 2021 5:56 PM  
**To:** Simpson, Anita; Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Skistimas, Kelly; Mosley, Laurie; Massey, Matt; Brooks, Shon; Martinez, Jose; Wade Goolsbey; Ricky Boyd; Me'Lony Jordan  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice; Lockart, Jim  
**Subject:** RE: Event Application YMCA Santa Run

There is construction on Flat Street. However, we will coordinate with J&K the timeline to complete this portion of the project or determine how to have it open during this run. The concrete road on Flat is complete, but they have to tear out the crosswalk areas and install the stamped concrete crosswalk. We believe that it should be completed by this time, but we want to ensure that is the case.

I will get back with you shortly on this.

**James Gaertner, PE, CFM, CPM**  
**Director of Public Works & Engineering**  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

**From:** Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>  
**Sent:** Thursday, October 7, 2021 4:01 PM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; Martinez, Gumaro <[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)>; Barnes, Bradley <[bradley.barnes@waxahachie.com](mailto:bradley.barnes@waxahachie.com)>; Campos, Yadira <[ycampos@waxahachie.com](mailto:ycampos@waxahachie.com)>; Skistimas, Kelly <[kelly.skistimas@waxahachie.com](mailto:kelly.skistimas@waxahachie.com)>; Mosley, Laurie <[imosley@waxahachiecvb.com](mailto:imosley@waxahachiecvb.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Brooks, Shon <[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)>; Martinez, Jose <[jose.martinez@waxahachie.com](mailto:jose.martinez@waxahachie.com)>; Wade Goolsbey <[wgoalsby@waxahachiepd.org](mailto:wgoalsby@waxahachiepd.org)>; Ricky Boyd <[rboyd@waxahachiefire.org](mailto:rboyd@waxahachiefire.org)>; Me'Lony Jordan <[mjordan@waxahachie.com](mailto:mjordan@waxahachie.com)>  
**Cc:** Scott, Michael <[miscott@waxahachie.com](mailto:miscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>  
**Subject:** RE: Event Application YMCA Santa Run

No comments. Except that this is one of the cutest events we do. 😊

**From:** Bonner, Jami  
**Sent:** Thursday, October 7, 2021 2:48 PM  
**To:** Martinez, Gumaro <[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)>; Barnes, Bradley <[bradley.barnes@waxahachie.com](mailto:bradley.barnes@waxahachie.com)>; Campos, Yadira <[ycampos@waxahachie.com](mailto:ycampos@waxahachie.com)>; Skistimas, Kelly <[kelly.skistimas@waxahachie.com](mailto:kelly.skistimas@waxahachie.com)>; Mosley, Laurie <[imosley@waxahachiecvb.com](mailto:imosley@waxahachiecvb.com)>; Simpson, Anita <[asimpson@waxahachie.com](mailto:asimpson@waxahachie.com)>; Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Brooks, Shon <[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)>; Martinez, Jose <[jose.martinez@waxahachie.com](mailto:jose.martinez@waxahachie.com)>; Wade Goolsbey <[wgoalsby@waxahachiepd.org](mailto:wgoalsby@waxahachiepd.org)>; Ricky Boyd <[rboyd@waxahachiefire.org](mailto:rboyd@waxahachiefire.org)>; Me'Lony Jordan <[mjordan@waxahachie.com](mailto:mjordan@waxahachie.com)>  
**Cc:** Scott, Michael <[miscott@waxahachie.com](mailto:miscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>  
**Subject:** Event Application YMCA Santa Run

**Bonner, Jami**

---

**From:** Bonner, Jami  
**Sent:** Tuesday, October 12, 2021 1:05 PM  
**To:** Me'Lony Jordan  
**Subject:** RE: Event Application YMCA Santa Run

Mr. McLaughlin replied that they do not plan to have anything for sale, but will hand out milk and cookies at the finish.

---

**From:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Sent:** Tuesday, October 12, 2021 8:19 AM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** RE: Event Application YMCA Santa Run

Okay. Thank you.



MeLony Jordan  
Health Inspector/CCO  
Office: (469) 309-4134  
Mobile: (972) 740-6724

---

**From:** Bonner, Jami  
**Sent:** Monday, October 11, 2021 2:43 PM  
**To:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Subject:** RE: Event Application YMCA Santa Run

I have requested clarification from the applicant.

---

**From:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Sent:** Monday, October 11, 2021 11:11 AM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** RE: Event Application YMCA Santa Run

Will food/drink be offered? Section of the application is not marked.



MeLony Jordan  
Health Inspector/CCO  
Office: (469) 309-4134  
Mobile: (972) 740-6724

---

**From:** Bonner, Jami  
**Sent:** Thursday, October 7, 2021 2:48 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Brooks, Shon

(5e)

## Bonner, Jami

---

**From:** Me'Lony Jordan  
**Sent:** Wednesday, October 13, 2021 8:30 AM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application YMCA Santa Run

Ok. Milk is a temperature controlled item and I will need to know if these are store bought cookies or if someone plans to prepare them in a home kitchen. So, a temp food permit is needed.



MeLony Jordan  
Health Inspector/CCO  
Office: (469) 309-4134  
Mobile: (972) 740-6724

---

**From:** Bonner, Jami  
**Sent:** Tuesday, October 12, 2021 1:05 PM  
**To:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Subject:** RE: Event Application YMCA Santa Run

Mr. McLaughlin replied that they do not plan to have anything for sale, but will hand out milk and cookies at the finish.

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**From:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Sent:** Tuesday, October 12, 2021 8:19 AM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** RE: Event Application YMCA Santa Run

Okay. Thank you.



MeLony Jordan  
Health Inspector/CCO  
Office: (469) 309-4134  
Mobile: (972) 740-6724

---

**From:** Bonner, Jami  
**Sent:** Monday, October 11, 2021 2:43 PM  
**To:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Subject:** RE: Event Application YMCA Santa Run

I have requested clarification from the applicant.

---

**From:** Me'Lony Jordan <mjordan@waxahachie.com>  
**Sent:** Monday, October 11, 2021 11:11 AM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** RE: Event Application YMCA Santa Run

**Bonner, Jami**

---

**From:** Gaertner, James  
**Sent:** Thursday, October 14, 2021 5:17 PM  
**To:** Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Skistimas, Kelly; Mosley, Laurie; Simpson, Anita; Massey, Matt; Brooks, Shon; Martinez, Jose; Wade Goolsbey; Ricky Boyd; Me'Lony Jordan  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice; Lockart, Jim  
**Subject:** RE: Event Application YMCA Santa Run

We don't have issues with the Santa Run route. We will coordinate with the contractor and ensure that this area is clear for this event.

**James Gaertner, PE, CFM, CPM**  
**Director of Public Works & Engineering**  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Thursday, October 7, 2021 2:48 PM  
**To:** Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Me'Lony Jordan <mjordan@waxahachie.com>  
**Cc:** Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application YMCA Santa Run

For your review / comments. Thank you.

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



## Memorandum

To: Honorable Mayor and City Council  
From: Michael Scott, City Manager   
Thru:  
Date: October 13, 2021  
Re: Civil Service Commission Appointment

---

As you may be aware, Civil Service Commissioner Rev. Samuel Baker was not able to be reappointed to the Board as he resides outside the city limits of Waxahachie. Per LGC 143, the Commission is made up of three positions, each appointed by the City Manager.

I have asked **Ms. Jackie Mims** to fill this vacancy and complete the Civil Service Board. She has agreed and will begin in November serving in this very important capacity and will be a fantastic addition to the Commission. As such, I am requesting the City Council ratify this appointment.

(5g)

**CITY OF WAXAHACHIE, TEXAS**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADOPTING TIME LIMITS ON PUBLIC COMMENTS AS AUTHORIZED BY THE TEXAS OPEN MEETINGS ACT.**

**WHEREAS**, the Texas Open Meetings Act, Tex. Gov't Code § 551.007(b), provides that "a governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting;" and

**WHEREAS**, the Texas Open Meetings Act, Tex. Gov't Code § 551.007(c), provides that a governmental body may adopt reasonable rules regarding the public's right to address the body, "including rules that limit the total amount of time that a member of the public may address the body on a given item;" and

**WHEREAS**, the Texas Open Meetings Act, Tex. Gov't Code § 551.007(d), provides that "the governmental body must provide that a member of the public who addresses the body through a translator must be given at least twice the amount of time as a member of the public who does not require the assistance of a translator in order to ensure that non-English speakers receive the same opportunity to address the body;" and

**WHEREAS**, the City Council of the City of Waxahachie, through this Resolution, desires to adopt a reasonable time limit on speakers who speak during the City's public comments portion of City Council meetings, as authorized by the Texas Open Meetings Act, to ensure that the City Council may have adequate time to address all items on the City Council agenda and to provide that all who desire to speak at a Council Meeting have an opportunity to do so.

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

**Section 1. Findings.**

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. Public Comments Time Limitations.**

All speakers who speak during the Public Comments portion of a City Council meeting who do not require a translator are given 5 minutes to speak and may address the Council only once during the Public Comments portion of the City Council. Non-English Speakers who require a translator are given 10 minutes to speak during the Public Comments portion of a City Council meeting and may address the Council only once during the Public Comments portion of the City

(59)

Council. These time limits do not apply to public hearing items on the City Council agenda and the City reserves to right to impose reasonable time restrictions on speakers during public hearing items if the circumstances warrant such restrictions.

**PASSED AND APPROVED** by the City Council of the City of Waxahachie, Texas this the 18th day of October, 2021.

---

Doug Barnes, Mayor

ATTEST:

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Amber Villarreal, City Secretary

APPROVED AS TO FORM:

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Robert F. Brown, City Attorney

(6+7)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager   
Date: October 13, 2021  
Re: ZDC-133-2021 – 240 Brookbend Dr. – Accessory Dwelling

---

On October 13, 2021, the applicant requested to withdraw case number ZDC-133-2021 from the October 18, 2021 City Council meeting agenda.

(8+9)



## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Executive Director of Development Services

Thru: Michael Scott, City Manager

Date: October 5, 2021

Re: ZDC-146-2021 – Broadhead Road Mixed Use Development

---

On October 5, 2021, the applicant requested to continue case no. ZDC-146-2021 from the October 12, 2021 Planning and Zoning Commission agenda and the October 18, 2021 City Council meeting agenda to the October 26, 2021 Planning and Zoning Commission agenda and the November 1, 2021 City Council meeting agenda.

(10+11)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager *[Signature]*  
Date: October 5, 2021  
Re: ZDC-150-2021 – Caliber Collision

---

On October 5, 2021, the applicant requested to continue case no. ZDC-150-2021 from the October 12, 2021 Planning and Zoning Commission agenda and the October 18, 2021 City Council meeting agenda to the October 26, 2021 Planning and Zoning Commission agenda and the November 1, 2021 City Council meeting agenda.

(12 + 13)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager   
Date: October 7, 2021  
Re: ZDC-116-2021 – 35 South Logistics Hub

---

On October 7, 2021, the applicant asked staff to continue case no. ZDC-116-2021 from the October 12, 2021 Planning and Zoning Commission agenda, as well as the October 18, 2021 City Council meeting agenda to the October 26, 2021 Planning and Zoning Commission meeting agenda, and the November 1, 2021 City Council meeting agenda.

(14)

# Planning & Zoning Department

## Zoning Staff Report



Case: ZDC-141-2021

**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 12, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-141-2021, subject to staff comments.

**CAPTION**

**Public Hearing** on a request by Justin Bright, Bright Pools, LLC, for a **Specific Use Permit (SUP)** for an **Accessory Structure +700SF** use within a Single Family-2 zoning district located at 201 E University (Property ID 176324) - Owner: JASON W & JACLYN L WILSON (ZDC-141-2021)

**APPLICANT REQUEST**

The applicant is requesting approval to construct a 264 sq. ft. accessory structure, to be used as an outdoor kitchen and pergola.

**CASE INFORMATION**

*Applicant:* Justin Bright, Bright Pools, LLC

*Property Owner(s):* Jason Wilson & Jaclyn Wilson

*Site Acreage:* 0.344 acres

*Current Zoning:* Single Family-2 (SF-2)

*Requested Zoning:* Single Family-2 with an SUP for Accessory Structures totaling over 1,000 Sq.Ft.

**SUBJECT PROPERTY**

*General Location:* 201 E University Ave.

*Parcel ID Number(s):* 176324

*Existing Use:* A single family residence and an approximately 800 sq. ft. detached garage currently occupies the site.

*Development History:* The subject property is platted as Lots 11 & 12, Block 10 of the University Revision.

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

**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 a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

**Thoroughfare Plan:** This property is accessible via E University Ave. and Martha St.

**Site Image:**



**PLANNING ANALYSIS**

Purpose of Request:

The applicant is requesting a Specific Use Permit to allow for the addition of a 264 sq. ft. accessory structure within a Single Family-2 zoning district. The proposed accessory structure requires SUP consideration due to the existing structure (detached garage/800 sq. ft.) and proposed structure (accessory structure/264 sq. ft.) exceeding 1,000 square feet. Per Sec. 5.07 of the Waxahachie Zoning Ordinance, “Combined floor area for two (2) accessory structures in excess of one thousand (1,000) square feet per platted lot requires a SUP.”

Proposed Use:

The applicant is requesting approval to construct a 264 sq. ft. accessory structure, to be used as an outdoor kitchen and pergola. The accessory structure is proposed to connect externally to the existing detached garage on the property, but will have no internal connection to the garage. The applicant has stated that the pergola and kitchen will be constructed with “8 inch Western Red Cedar posts, a 4’x8’ Cedar Header, 2’x4’ rafters, and shingles to match the existing home.” No changes or alterations to the existing detached garage are proposed.

Accessory structures are common within the surrounding neighborhood area. Currently, there are 3 other existing SUP’s for accessory structures, mostly for detached garages, within 250 of the subject property. If approved, the structure(s) would be consistent with the character of the existing neighborhood district.

This SUP request, if approved, would allow an accessory structure that cannot be used as dwelling unit. (Note: No living space is provided as part of the proposed accessory structure.)

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, nineteen 19 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 applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
  2. The accessory structure shall not be used as a dwelling unit.
  3. The structure shall in any case not be leased or sold separately and shall not be separately metered.

**ATTACHED EXHIBITS**

1. SUP Ordinance for Accessory Structures +1000 SF Total
2. Exhibit A – Location Map
3. Exhibit B - Site Layout
4. Exhibit C – Staff Report

**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:*  
Zack King  
Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURES IN EXCESS OF 1000 SQUARE FEET USE WITHIN A SINGLE FAMILY – 2 (SF-2) ZONING DISTRICT, LOCATED AT 201 E UNIVERSITY AVENUE, BEING PROPERTY ID 176324, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 11 & 12, BLOCK 10 IN THE UNIVERSITY REVISION 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**, the described property is classified in said ordinance and any amendments thereto as SF-2; 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-141-2021. 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 SF-2 to SF-2, with an SUP in order to permit an Accessory Structures in excess of 1000 square feet use on the following property: Lot 11 & 12, Block 10 in the University Revision subdivision, which is shown on Exhibit A, in accordance with the Site Layout 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.

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURES IN EXCESS OF 1000 SQUARE FEET USE WITHIN A SINGLE FAMILY – 2 (SF-2) ZONING 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-141-2021.
2. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit, Exhibit B – Site Layout Plan, Exhibit C – Staff Report.
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 accessory structure shall not be used as a dwelling unit.
5. The structure shall not in any case be leased or sold separately, and shall not be separately metered.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. 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.

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.

(15)

**PASSED, APPROVED AND ADOPTED** on this 18<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

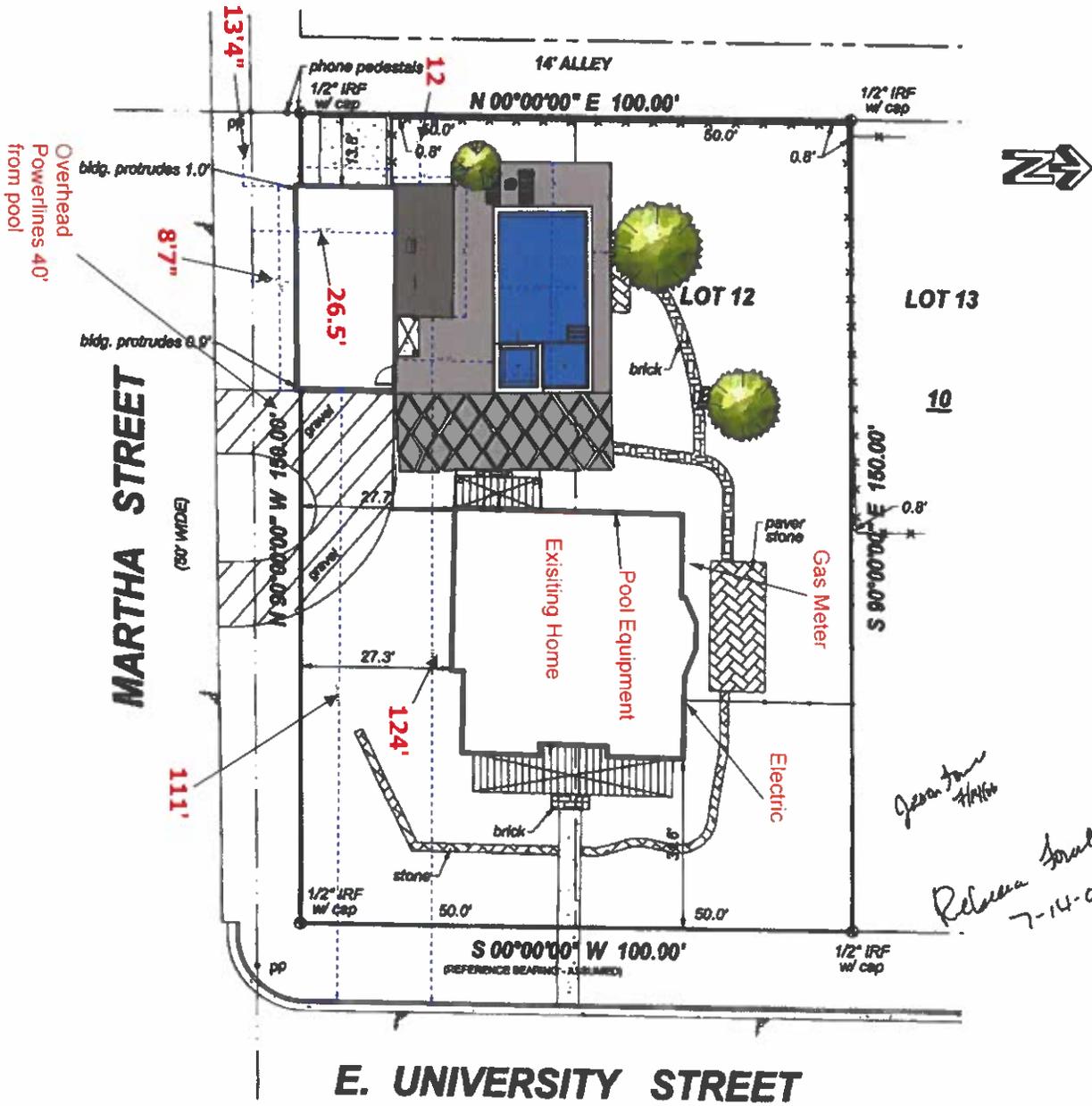
**Exhibit A - Location Map**



# Exhibit B - Site Layout

(15)

All that certain lot, tract or parcel of land being LOTS 11 and 12 in Block 10 of UNIVERSITY ADDITION, an Addition to the City of Waxahachie, Ellis County, Texas, according to the Map thereof recorded in Cabinet A, Slide 147, Plat Records, Ellis County, Texas.



*Jessamine Hicks*  
*Release Search*  
 7-14-06

NOTE: Monuments noted as IRS hereon are with yellow plastic cap marked "SHIELDS & LEE"  
 THE PROPERTY SHOWN HEREON IS NOT LOCATED IN A DESIGNATED (100 YEAR FLOOD HAZARD AREA) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY RATE MAP PANEL NUMBER: DATED: 48139C0180 D 01/20/1999  
 PROPERTY IS LOCATED IN ZONE: X

The plat shows hereon represents a true, correct and accurate representation of the results of a survey made on the ground by me or under my direction and supervision. The date, type and location of all visible and apparent buildings and improvements to the property based on the ground are shown hereon. The nearest distance to the nearest adjoining street or road is shown hereon. Except as shown hereon there were no visible and apparent encroachments or projections of improvements or physical evidence of easements shown on the ground on the subject property. The subject property has physical details as shown hereon. This survey is subject to all easements and restrictions of record. This is a surface or above ground survey. No attempt is made to locate underground utilities or easements of any kind hereon. This certificate is an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied. This survey was performed exclusively for the above mentioned parties and is intended for a single use only. Not published. All Rights Reserved. This survey remains the property of the Surveyor. Unauthorized use is illegal.



Scale: 1" = 25'  
 Date: 07/07/2006  
 Job No.: X22266  
 Drawn by: NF / JO

**Shields and Lee Surveyors**  
 1421 Ferndale Avenue  
 Dallas, Texas 75224  
 Phone (214) 942-8496  
 Fax (214) 941-7229

**Exhibit B - Site Layout**

**Garage Specs**

Parameter 99 Area 629 sq ft  
 Perimeter 22x18  
 Depth 11.5' RTNB 5  
 Drains Amb Varies Lights 2 LED Color  
 Skim Blower 10 C  
 Dig Type Excavator Volume 13,800 gallons  
 Spillover Length(s)  
 Coating Material Spalding  
 Interior Finish Max Plaster  
 Notes

**Pool Specs**

Parameter 28 Area 447 sq ft  
 Perimeter 22x18  
 Depth 8' RTNB 5  
 Drains Amb Varies Lights 2 LED Color  
 Skim Blower 10 C  
 Dig Type Excavator Volume 13,800 gallons  
 Spillover Length(s)  
 Coating Material Spalding  
 Interior Finish Max Plaster  
 Notes

**Spa Specs**

Parameter 28 Area 69 sq ft  
 Perimeter 22x18  
 Depth 11.5' RTNB 5  
 Drains Amb Varies Spillover Length(s) 2  
 Coating Material Spalding  
 Interior Finish Max Plaster  
 Notes

**Tile Specs**

Related Beams  
 Pool Tile Material @ Waterline  
 Spa Tile Material @ Waterline  
 Notes

**Deck Specs**

Parameter 28 Area 1179 sq ft  
 Coating Area  
 Coating Material  
 Surface Material  
 Turn Down  
 Notes

**Equipment**

Hot Pump 2 hp Inverting Control Panel Easy Touch  
 Pump #2 Brand Aco Filterer Screen Lid  
 Pump #3 Filterer Chlorine  
 Filter Cartridge 420 Blower Jet 1.5  
 Heater Maxtemp 400 F 8 Line auto 14  
 Cleaner Polara 280 Other  
 Pool Light 2 LED Color Other  
 Spa Light 1 LED Color Other  
 Notes

**Approval**

I/we (the undersigned) have reviewed this plan and approve it as correct within reasonable tolerance. I/we understand that any changes made to a shape or to a location may delay the project and/or result in additional cost.

Scale 3/8" = 1 ft

**Pool Depth Profile**

**Project Information**

Project Name: Budget  
 Client Name: Justin Budget  
 Client Email: justin.budget@gmail.com  
 Client Phone:  
 Address: 201 E University  
 City: Wixahatche  
 State/Province: TX  
 Zip/Postal Code: 75165  
 Designer Name: Justin Brock

**Block Information**

Block:  
 Subdivision:  
 Lot #:  
 PG: PB:  
 Notes:

**BRIGHT POOLS, LLC**

Planning & Zoning Department  
Zoning Staff Report

Case: ZDC-141-2021



**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 12, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-141-2021, subject to staff comments.

**CAPTION**

**Public Hearing** on a request by Justin Bright, Bright Pools, LLC, for a **Specific Use Permit (SUP)** for an **Accessory Structure +700SF** use within a Single Family-2 zoning district located at 201 E University (Property ID 176324) - Owner: JASON W & JACLYN L WILSON (ZDC-141-2021)

**APPLICANT REQUEST**

The applicant is requesting approval to construct a 264 sq. ft. accessory structure, to be used as an outdoor kitchen and pergola.

**CASE INFORMATION**

*Applicant:* Justin Bright, Bright Pools, LLC

*Property Owner(s):* Jason Wilson & Jaclyn Wilson

*Site Acreage:* 0.344 acres

*Current Zoning:* Single Family-2 (SF-2)

*Requested Zoning:* Single Family-2 with an SUP for Accessory Structures totaling over 1,000 Sq.Ft.

**SUBJECT PROPERTY**

*General Location:* 201 E University Ave.

*Parcel ID Number(s):* 176324

*Existing Use:* A single family residence and an approximately 800 sq. ft. detached garage currently occupies the site.

*Development History:* The subject property is platted as Lots 11 & 12, Block 10 of the University Revision.

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

**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 a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

**Thoroughfare Plan:** This property is accessible via E University Ave. and Martha St.

**Site Image:**



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant is requesting a Specific Use Permit to allow for the addition of a 264 sq. ft. accessory structure within a Single Family-2 zoning district. The proposed accessory structure requires SUP consideration due to the existing structure (detached garage/800 sq. ft.) and proposed structure (accessory structure/264 sq. ft.) exceeding 1,000 square feet. Per Sec. 5.07 of the Waxahachie Zoning Ordinance, "Combined floor area for two (2) accessory structures in excess of one thousand (1,000) square feet per platted lot requires a SUP."

**Proposed Use:**

The applicant is requesting approval to construct a 264 sq. ft. accessory structure, to be used as an outdoor kitchen and pergola. The accessory structure is proposed to connect externally to the existing detached garage on the property, but will have no internal connection to the garage. The applicant has stated that the pergola and kitchen will be constructed with "8 inch Western Red Cedar posts, a 4'x8' Cedar Header, 2'x4' rafters, and shingles to match the existing home." No changes or alterations to the existing detached garage are proposed.

Accessory structures are common within the surrounding neighborhood area. Currently, there are 3 other existing SUP's for accessory structures, mostly for detached garages, within 250 of the subject property. If approved, the structure(s) would be consistent with the character of the existing neighborhood district.

# Exhibit C - Staff Report

(15)

This SUP request, if approved, would allow an accessory structure that cannot be used as dwelling unit. (Note: No living space is provided as part of the proposed accessory structure.)

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, nineteen 19 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 applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
  2. The accessory structure shall not be used as a dwelling unit.
  3. The structure shall in any case not be leased or sold separately and shall not be separately metered.

## **ATTACHED EXHIBITS**

1. SUP Ordinance for Accessory Structures +1000 SF Total
2. Exhibit A – Location Map
3. Exhibit B - Site Layout
4. Exhibit C – Staff Report

## **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:*  
Zack King  
Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(116)

# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-140-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 12, 2021, the Commission voted 3-3 for the zoning change ZDC-140-2021. Due to a tied vote, the Planning and Zoning Commission will not provide an official recommendation to City Council.

**CAPTION**

**Public Hearing** request by Ronald Fraser, Fraser Real Estate Group, for a **Specific Use Permit (SUP)** for a **Unified Lot Sign** located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021).

**APPLICANT REQUEST**

The applicant is requesting a Specific Use Permit be approved to allow for a unified lot sign use (pole sign and directional sign) and an electronic message sign for a carwash.

**CASE INFORMATION**

*Applicant:* Ronald Fraser, Fraser Real Estate Group

*Property Owner(s):* H&D Reality Investments, LLC

*Site Acreage:* 3.464 acres

*Current Zoning:* Light Industrial-1 (LI-1) and General Retail (GR)

*Requested Zoning:* LI-1 and GR with SUP for Unified Lot Sign

**SUBJECT PROPERTY**

*General Location:* 3298 S Interstate 35E

*Parcel ID Number(s):* 225222, 223397, 179035

*Existing Use:* Scarborough Travel Shop (Shell gas station/Sonic Drive-In restaurant) is located at the corner of FM 66 and I-35E.

*Development History:* The convenience store is located on Lot 1R of the Colwell Oil Co. Addition. A drive through carwash use was approved by City Council on May 3, 2021 (ZDC-45-2021) on the adjacent lots. Those lots are situated in the J.C. Armstrong Survey, Abstract 6.

(14)

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	LI-1	Undeveloped
East	N/A	I-35E
South	LI-1/GR	Undeveloped Land (Ord. 3207 (McDonald's)) and Exxon Gas Station
West	LI-1	Undeveloped

*Future Land Use Plan:*

Retail

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The subject property is accessible via FM 66 and I-35E Service Road.

*Site Image:*



**PLANNING ANALYSIS**

Overview

The applicant is requesting a Specific Use Permit to allow for a unified lot sign use (pole sign and directional sign) on the subject properties as well as an electronic message sign to be located in front of the future carwash.

Unified Lot Sign

The unified lot sign agreement for the subject property will be for a pole sign and for a directional sign, both to be located on the convenience store property (Property ID 225222). TXDOT has taken a portion of the subject property which will impact the location of the existing pole sign. The current three-pole design will no longer be a feasible option due to limited spacing on the subject property. The new pole sign is proposed to be located in the same area as the existing sign, but the support from the sign will be reduced from three poles to one pole. The applicant is also proposing a taller sign (75') compared to the existing sign (60'). The new sign will contain space for a Shell gas station sign, a Sonic Drive-In sign, and sign for the car wash.

The directional sign will be 4' tall and 4' wide. It will be located within a landscape island located on the west side of the convenience store parking lot. In addition, the applicant has provided staff with a unified sign agreement stating the unified lot sign use will be acceptable with the property owner(s).

Electronic Message Sign

An electronic message ground monument sign is proposed for the car wash site. The sign is proposed to be 8' in height by 10' in width. The electronic message portion of the sign will be 4' in height and 10' in width (50% of total sign area). This proposal aligns with the electronic message sign requirements provided in Section 5.08 of the City of Waxahachie Zoning Ordinance.

**STAFF CONCERNS**

Based on the current proposal, less than 20% of the sign will be masonry material. Staff suggests the entire border of the proposed sign be constructed of a masonry material (preferably stone or brick).

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie 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 exterior of the electronic message sign (side(s)/top of the sign) shall be constructed out of masonry (stone or brick) material.
  2. No approved sign shall not be located within a utility easement.
  3. The applicant will need to apply for a sign permit with the Building and Community Services Department.

**ATTACHED EXHIBITS**

1. Ordinance
2. Location Exhibit
3. Site Layout Plan
4. Sign Elevations
5. Staff Report

**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  
Senior Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A UNIFIED LOT SIGN USE WITHIN A GENERAL RETIAL (GR)/LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT, LOCATED AT 3298 S INTERSTATE 35, BEING PROPERTY ID 225222, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1R IN THE COLWELL OIL CO ADDITION AND SITUATED IN THE J.C. ARMSTRONG SURVEY, ABSTRACT 6, 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 GR/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-140-2021. Said application having been referred to the Planning and Zoning (P&Z) Commission who provides no recommendation and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from GR/LI-1 to GR/LI-1 with an SUP in order to permit a Unified Lot Sign use on the following property: Lot 1R of the Colwell Oil Co Addition and a portion of the J.C. Armstrong Survey, Abstract 6, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B, the Sign Rendering attached as Exhibit C, and the Staff Report attached as Exhibit D.

**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.

### Specific Use Permit

FOR OPERATION OF A **SPECIFIC USE PERMIT FOR A UNIFIED LOT SIGN**; 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-140-2021.
2. 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.
3. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit, Exhibit B – Site Layout Plan, Exhibit C – Sign Rendering, and Exhibit D – Staff Report.
4. The exterior of the electronic message sign (side(s)/top of the sign) shall be constructed out of masonry (stone or brick) material.
5. The signs shall be setback a minimum of 15 ft. from the public right-of-way.
6. The signs shall not be located in any utility easement.
7. If approved, the City Council shall have the right to review the Specific Use Permit at any point, 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. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
3. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 18<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

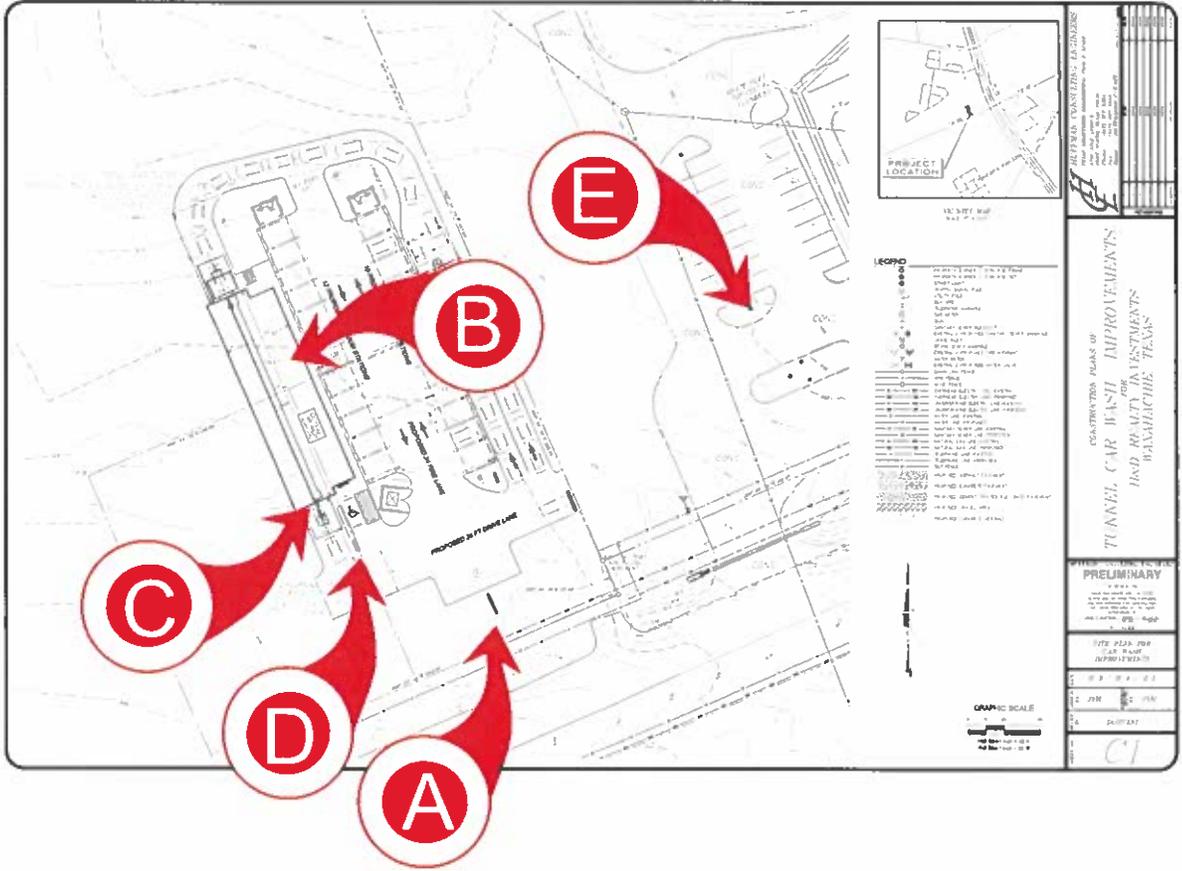
\_\_\_\_\_  
City Secretary



State of Texas Electrical Sign Contractor #18412

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# Exhibit B - Site Layout Plan



TOTAL SQUARE FEET:

◊ SPELLING IS YOUR RESPONSIBILITY ◊ SIZES ARE NOTED ◊ PROOF IS NOT TO SCALE ◊ COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF

**FUTURE SIGNS**

PHONE: (972) - 205 - 9090

CUSTOMER	
COMPANY	
LOCATION	
CITY, STATE	

**REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS:** If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of superficial lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceedings arising by replacement, repair or diversion of such services. When plan drilling is necessary, Seller will contact Dig Ties or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller.

**Customer Signature:**

CUSTOMER	DATE
LANDLORD	DATE

ADDRESS: 11624 Chairman Dr Dallas, TX 75243

WEB: myfuturesigns.com

MATERIAL AND INSTALLATION COMPLIES WITH NATIONAL ELECTRICAL SIGN CODE AND USES ONLY UL LISTED COMPONENTS

Regulated by the Texas Department of Licensing & Regulation  
Website: www.tdlr.state.tx.us

ATTN ELECTRICAL SIGNS. FINAL PLANS ARE DESIGNED, PERMITTED, MANUFACTURED, INSTALLED, AND INSPECTED BY A LICENSED MASTER SIGN ELECTRICIAN AS REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION





Exhibit C - Sign Elevation



TOTAL SQUARE FEET:

◀ SPELLING IS YOUR RESPONSIBILITY ▶ SIZES ARE NOTED ▶ PROOF IS NOT TO SCALE ▶ COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF

	CUSTOMER	<small>REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS: If installation is a part of the Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for encroachment or removal of any rock. Unless notified of significant risks or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceedings arising by replacement, repair or diversion of such services. When per drilling is necessary, Seller will contact Dig Ties or other agency for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller.</small>	CUSTOMER	DATE
	COMPANY		LANDLORD	DATE
LOCATION	Customer Signature:			
CITY, STATE	PHONE: (972) - 205 - 9090	EMAIL: SALES@MYFUTURESIGNS.COM	ADDRESS: 11624 Chairman Dr Dallas, TX 75243	WEB: myfuturesigns.com

(17)

State of Texas Electrical Sign Contractor #18412

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### Exhibit C - Sign Elevation



TOTAL SQUARE FEET:

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CUSTOMER	
COMPANY	
LOCATION	
CITY, STATE	

**REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS:** If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified at printer time or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceedings arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Ties or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional credits will be requested by the Seller.

**Customer Signature:**

CUSTOMER	DATE
LANDLORD	DATE

PHONE: (972) - 205 - 9090

EMAIL: SALES@MYFUTURESIGNS.COM

ADDRESS: 11624 Chairman Dr Dallas, TX 75243

WEB: myfuturesigns.com

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(17)

State of Texas Electrical Sign Contractor #18412

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### Exhibit C - Sign Elevation

A

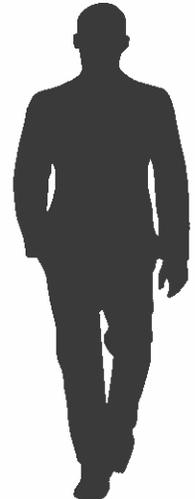
10'-0"

2'-6"

8'-0"

4'-0"

1'-6"



TOTAL SQUARE FEET:

◊ SPELLING IS YOUR RESPONSIBILITY ◊ SIZES ARE NOTED ◊ PROOF IS NOT TO SCALE ◊ COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF



CUSTOMER COMPANY	
LOCATION	
CITY/STATE	

**REINFORCEMENT OF BUILDING PHYSICAL CONDITIONS:** If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstructions, and for any additional installation costs incurred by Buyer due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of sprinkler lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceedings arising by replacement, repair or otherwise of such utilities. When clear drilling is necessary, Seller will contact Dig Ties or other agencies for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional marks will be requested by the Buyer.

**Customer Signature:**

CUSTOMER	DATE
LANDLORD	DATE

PHONE: (972) - 205 - 9090

EMAIL: SALES@MYFUTURESIGNS.COM

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# Exhibit D - Staff Report

(17)

## Planning & Zoning Department

### Zoning Staff Report

Case: ZDC-140-2021



#### MEETING DATE(S)

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held October 12, 2021, the Commission voted 3-3 for the zoning change ZDC-140-2021. Due to a tied vote, the Planning and Zoning Commission will not provide an official recommendation to City Council.

#### CAPTION

**Public Hearing** request by Ronald Fraser, Fraser Real Estate Group, for a **Specific Use Permit (SUP)** for a **Unified Lot Sign** located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021).

#### APPLICANT REQUEST

The applicant is requesting a Specific Use Permit be approved to allow for a unified lot sign use (pole sign and directional sign) and an electronic message sign for a carwash.

#### CASE INFORMATION

*Applicant:* Ronald Fraser, Fraser Real Estate Group

*Property Owner(s):* H&D Reality Investments, LLC

*Site Acreage:* 3.464 acres

*Current Zoning:* Light Industrial-1 (LI-1) and General Retail (GR)

*Requested Zoning:* LI-1 and GR with SUP for Unified Lot Sign

#### SUBJECT PROPERTY

*General Location:* 3298 S Interstate 35E

*Parcel ID Number(s):* 225222, 223397, 179035

*Existing Use:* Scarborough Travel Shop (Shell gas station/Sonic Drive-In restaurant) is located at the corner of FM 66 and I-35E.

*Development History:* The convenience store is located on Lot 1R of the Colwell Oil Co. Addition. A drive through carwash use was approved by City Council on May 3, 2021 (ZDC-45-2021) on the adjacent lots. Those lots are situated in the J.C. Armstrong Survey, Abstract 6.

# Exhibit D - Staff Report

(17)

## Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Undeveloped
East	N/A	I-35E
South	LI-1/GR	Undeveloped Land (Ord. 3207 (McDonald's)) and Exxon Gas Station
West	LI-1	Undeveloped

### Future Land Use Plan:

Retail

### Comprehensive Plan:

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

### Thoroughfare Plan:

The subject property is accessible via FM 66 and I-35E Service Road.

### Site Image:



## PLANNING ANALYSIS

### Overview

The applicant is requesting a Specific Use Permit to allow for a unified lot sign use (pole sign and directional sign) on the subject properties as well as an electronic message sign to be located in front of the future carwash.

### Unified Lot Sign

The unified lot sign agreement for the subject property will be for a pole sign and for a directional sign, both to be located on the convenience store property (Property ID 225222). TXDOT has taken a portion of the subject property which will impact the location of the existing pole sign. The current three-pole design will no longer be a feasible option due to limited spacing on the subject property. The new pole sign is proposed to be located in the same area as the existing sign, but the support from the sign will be reduced from three poles to one pole. The applicant is also proposing a taller sign (75') compared to the existing sign (60'). The new sign will contain space for a Shell gas station sign, a Sonic Drive-In sign, and sign for the car wash.

# Exhibit D - Staff Report

(17)

The directional sign will be 4' tall and 4' wide. It will be located within a landscape island located on the west side of the convenience store parking lot. In addition, the applicant has provided staff with a unified sign agreement stating the unified lot sign use will be acceptable with the property owner(s).

### Electronic Message Sign

An electronic message ground monument sign is proposed for the car wash site. The sign is proposed to be 8' in height by 10' in width. The electronic message portion of the sign will be 4' in height and 10' in width (50% of total sign area). This proposal aligns with the electronic message sign requirements provided in Section 5.08 of the City of Waxahachie Zoning Ordinance.

### STAFF CONCERNS

Based on the current proposal, less than 20% of the sign will be masonry material. Staff suggests the entire border of the proposed sign be constructed of a masonry material (preferably stone or brick).

### PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **18** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie 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 exterior of the electronic message sign (side(s)/top of the sign) shall be constructed out of masonry (stone or brick) material.
  2. No approved sign shall not be located within a utility easement.
  3. The applicant will need to apply for a sign permit with the Building and Community Services Department.

### ATTACHED EXHIBITS

1. Ordinance
2. Location Exhibit
3. Site Layout Plan
4. Sign Elevations
5. Staff Report

### 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

Senior Planner

[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-142-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 12, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-142-2021, subject to all staff comments.

It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.

**CAPTION**

**Public Hearing** on a request by George Salvador for a **Zoning Change** from a Single Family-1 Zoning to **Planned Development-Single Family-3** zoning district, located at 401 Ovilla Road (Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)

**APPLICANT REQUEST**

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 207 single family detached homes.

**CASE INFORMATION**

*Applicant:* George Salvador, Waxahachie One Development

*Property Owner(s):* EIS Development II, LLC

*Site Acreage:* 78.22 acres

*Current Zoning:* Single Family-1 (SF-1)

*Requested Zoning:* Planned Development-Single Family-3 (PD-SF-3)

**SUBJECT PROPERTY**

*General Location:* 401 Ovilla Rd

*Parcel ID Number(s):* 180391

*Existing Use:* Currently Undeveloped

*Development History:* N/A

**Table 1: Adjoining Zoning & Uses**

Direction	Zoning	Current Use
North	PD-SF-2	Sheppard's Place Subdivision
East	C & GR	Single Family Residences
South	SF-1	Currently Undeveloped
West	SF-1	Currently Undeveloped

*Future Land Use Plan:*

Low Density Residential with the eastern portion of the property located in Mixed Use Non-Residential.

*Comprehensive Plan:*

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

Mixed Use Non-Residential: Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

*Thoroughfare Plan:*

The subject property is accessible via Ovilla Rd.

*Site Image:*



**PLANNING ANALYSIS**

Purpose of Request:

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 207 single family detached homes. Per the City of Waxahachie Zoning Ordinance, a Planned Development request is required to be reviewed by City Council.

Case History:

The subject property was heard as case no. ZDC-35-2021 Dominion Park by the P&Z Commission on May, 11, 2021 and by City Council on May 17, 2021. The previous case was a request to change the zoning from SF-1 to PD-SF-3 for 209 single family lots. As part of this case, the applicant proposed three different lot types (Type 1: 60' wide lots, Type 2: 70' wide lots, and type 3: 80' wide lots) on 78.22 acres. 6.41 acres were proposed for park space/open space which included a kid's soccer paly area and multi-purpose sports court. The case was approved per comment by P&Z, but City Council denied the zoning change request.

Proposed Use:

The applicant is proposing a zoning change request from a Single Family-1 (SF-1) zoning district to Planned Development-Single Family-3, with Concept Plan, located at 401 Ovilla Rd. The proposed development will consist of two hundred seven (207) single family lots and three lot types (Type 1: 60' wide lots, Type 2: 70' wide lots, and Type 3: 80' wide lots) on 78.22 acres. Proposed neighborhood amenities include parks, jogging trails, playground, multipurpose sports courts, and community gathering areas. No homes within the development will have front facing garages. 94 lots (45.41%) will rear entry, and 113 lots (54.58%) will be side entry.

Changes since the May 17, 2021 City Council Meeting

- Reduced the total number of lots from 209 lots to 207 lots.
- Revised the plan to create a greater mix of lot sizes within the proposed development.
- Removed the alleyways that were located behind lots along the edges of the subdivision.
- Reduced the number of lots less than 10,000 sq. ft. in size from 134 lots to 121 lots.
- Increased the number of 10,000+ sq. ft. lots from 75 lots to 86 lots.
  - o 22 of these lots are greater than 11,000 sq. ft.

Architectural Styles

The applicant is proposing that 60% of the development consist of the following lot types:

Architectural Style	Percentage	Minimum Homes
Contemporary	15%	31
Modern Farm	15%	31
Traditional	15%	31
Tudor	15%	31

The remaining 40% of the development will be determined by market conditions.

Conformance with the Comprehensive Plan:

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

- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

**Table 2: Proposed Single Family Residential (per SF-3 standards)**

*\*The second column depicts the standards for the current zoning (Single Family-1) of the property. Note: Items reflected in the second column are not represented in the "Meets" column.*

*\*\*The third column depicts the Single Family-3 (SF-3) zoning standards (what the applicant is requesting)*

*\*\*\*Items highlighted in bold do not meet the City of Waxahachie SF-3 requirements*

<u>Standard</u>	<u>City of Waxahachie (Existing SF-1 Standards)</u>	<u>City of Waxahachie (Existing SF-3 Standards)</u>	<u>Dominion Park</u>	<u>Meets (Yes/No)</u>
Min. Lot Area	16,000 sq. feet	<b>10,000 sq. ft.</b>	<b>7,200 sq. ft.</b>	No
Min. Lot Width	90 ft.	<b>80 ft.</b>	<b>60 ft.</b>	No
Min. Lot Depth	140 ft.	100 ft.	100 ft.	Yes
Min. Front Setback	40 ft.	<b>30 ft.</b>	<b>20 ft.</b>	No
Min. Interior Setback	15 ft.; 20 ft. (ROW)	<b>10 ft.; 15 ft. (ROW)</b>	<b>5 ft.; 10ft. (ROW)</b>	No
Min. Rear Setback	25 ft.	<b>25 ft.</b>	<b>20 ft.</b>	No
Min. Dwelling Size	2,200 sq. ft.	1,200 sq. ft.	1,800 sq. ft.	Yes
Max. Lot Coverage	50%	50%	50%	Yes
Parking	Minimum of 2 enclosed parking spaces behind the front building line of the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure.	Yes

**Note:** Per the Elevation/Façade renderings and Planned Development Provisions, the homes will be constructed of 75% masonry (min.)

**Table 3: Single Family Lot Notes (207 Total Lots)**

*\*\*\*Items highlighted in bold do not meet the City of Waxahachie SF3 requirements\*\*\**

<u>Lot Size (Sq. Ft.)</u>	<u>Number of Lots</u>	<u>Lot Percentage</u>
<b>7,200 – 8,000 SF</b>	<b>40 lots</b>	<b>19.32%</b>
<b>8,000 – 9,000 SF</b>	<b>77 lots</b>	<b>37.20%</b>
<b>9,000 – 10,000 SF</b>	<b>4 lots</b>	<b>1.93%</b>
10,000+ SF	86 lots (22 lots > 11,000 sq. ft.)	41.55%
REAR ENTRY LOTS	94	45.41%
SIDE ENTRY LOTS	113	54.59%

**SPECIAL EXCEPTION/VARIANCE REQUEST**

Lot Area

The minimum lot area requirement is 10,000 sq. ft.

- The applicant is proposing a minimum lot size of 7,200 sq. ft. for Type 1 lots
- The applicant is proposing a minimum lot size of 8,400 sq. ft. for Type 2 lots.

Lot Width

The minimum lot width requirement is 80 ft.

- The applicant is requesting a minimum lot width of 60 ft. for Type 1 lots.
- The applicant is requesting a minimum lot width of 70 ft. for Type 2 lots.

**Front Yard Setback**

The minimum front yard setback requirement is 30 ft.

- The applicant is proposing a minimum front yard setback of 20 ft.

**Side Yard Setback**

The minimum side yard setback requirement is 10 ft. (interior) and 15 ft. (adjacent to ROW).

- The applicant is proposing a minimum side yard setback of 5 ft. (interior) and 10 ft. (adjacent to ROW).

**Rear Yard Setback**

The minimum rear yard setback requirement is 25 ft.

- The applicant is requesting a rear yard setback of 20 ft.

**Screening**

Single Family residential development require masonry material for fencing/screening around the subdivision.

- The applicant is proposing a 6 ft. wood fence along the north and south boundaries of the development.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **46** 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 one (1) letter of opposition for the proposed development.

**RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. A mutually agreed upon Development Agreement will be required for the development.
  2. A second traffic circle will need to be provided at the intersection of Burrow Drive and Territorial Way.
  3. A minimum of seven (7) variations of floor plans will be required for each of the four architectural styles.

**ATTACHED EXHIBITS**

1. Property Owner Notification Response
2. Development Agreement/PD Ordinance
3. Location Exhibit
4. Planned Development Provisions
5. Dominion Park Exhibit Packet
6. Staff Report

**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

Senior Planner

[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
281578	HMH LIFESTYLES L P	1038 TEXAN TRL	GRAPEVINE	TX	76051
281595	HMH49 RENTALS LLC	1038 TEXAN TRL	GRAPEVINE	TX	76051
281573	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281575	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281579	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281580	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281624	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281634	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
179584	SEVEN-FIVE WAXAHACHIE	113 WILLOWCREST	WAXAHACHIE	TX	75165
180383	MARTINEK & ASSOC. LP	2256 BELLS CHAPEL RD	WAXAHACHIE	TX	75165
281633	YOUNG DANIEL S	2261 SHEPPARDS LN	WAXAHACHIE	TX	75167
281635	HALL SHELBY G & BURCH DEREK A	2269 SHEPPARDS LN	WAXAHACHIE	TX	75167
281636	LAWSON BRITTANY	2277 SHEPPARDS LN	WAXAHACHIE	TX	75167
281638	ROBINSON JOHN C JR	2285 SHEPPARDS LN	WAXAHACHIE	TX	75167
261920	BOZE D WAYNE & MARIA M	2322 W HWY 287 BUSINESS	WAXAHACHIE	TX	75165
179591	F5 LAND & COMPANY LLC	275 BAKERS BRANCH RD	WAXAHACHIE	TX	75165
281637	FRANCIS ADEKUNLE A	2821 SHEPPARDS LN	WAXAHACHIE	TX	75167
199964	IHLENFELDT DONALD & PATRICIA IHLENFELDT	301 OVILLA RD	WAXAHACHIE	TX	75167
180321	MARLIN ODENA	400 OVILLA RD	WAXAHACHIE	TX	75167
221795	PETERS SCOTT S	408 OVILLA RD	WAXAHACHIE	TX	75167
180316	OTTS KARON E & JOEL P	410 OVILLA RD	WAXAHACHIE	TX	75167
180503	WAXAHACHIE ISD	411 N GIBSON ST	WAXAHACHIE	TX	75165
277458	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281574	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281576	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281577	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281581	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281591	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281592	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281593	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281594	JB SANDLIN REAL ESTATE INC	5137 DAVIS BLVD	FT WORTH	TX	76180
281596	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281597	TLS HOMES INC	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281598	MSAND BUILD LLC	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281599	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281600	MSAND BUILD LLC	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281601	SCOTT SANDLIN HOMES LTD	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281602	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281608	HMH LIFESTYLES LP	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281623	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
180391	EIS DEVELOPMENT II LLC	6350 N IH35E	WAXAHACHIE	TX	75165
138566	BROOME REX A & CONSTANCE M	731 BROADHEAD RD	WAXAHACHIE	TX	75165
281603	SHEPPARDS PLACE PROPERTY OWNERS ASSOCIATION INC CO GOODWIN MGT	PO BOX 203310	AUSTIN	TX	78720
281639	SHEPPARDS PLACE PROPERTY OWNERS ASSOCIATION INC CO GOODWIN MGT	PO BOX 203310	AUSTIN	TX	78720
180392					



(18)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **ZDC-142-2021**

WILLIAMS MICHAEL W & KELLY J  
312 OVILLA RD  
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 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 George Salvador for a **Zoning Change** from a Single Family-1 Zoning to **Planned Development-Single Family-3** zoning district, located at 401 Ovilla Road (Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: **ZDC-142-2021**

City Reference: 205402

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, October 5, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Still NO

Signature

Kelly Williams  
Printed Name and Title

Date

9.30.21  
312 Ovilla Rd.  
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.*

**Dominion Park PD Ordinance**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF1) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF3), LOCATED AT 401 OVILLA ROAD, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 78.22 ACRES, KNOWN AS PROPERTY ID 180391 OF ABSTRACT 101 OF E BELLOW SURVEY AND ABSTRACT 466 OF E HORTON SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-142-2021. 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 SF1 to PD-SF3, with Concept Plan; and

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

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

**NOW, THEREFORE**, this property is rezoned from SF1 to PD-SF3, with Concept Plan in order to facilitate development of the subject property in a manner that allows 209 single family residential lots on the following property: Property ID 180391 of Abstract 101 of E Bellow Survey and Abstract 466 of E Horton Survey, which is shown on Exhibit A, Planned Development Provisions shown as Exhibit B, Dominion Park Exhibit Packet shown as Exhibit C, and Staff Report shown as Exhibit D.

**PLANNED DEVELOPMENT**

**Purpose and Intent**

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

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Planned Development Provisions (Exhibit B), Dominion Park Exhibit Packet (Exhibit C), and Staff Report (Exhibit D).

Development Regulations

1. A mutually agreed upon Development Agreement will be required for the property.
2. The minimum lot area shall be 7,200 sq. ft.
3. The minimum lot width shall be 60ft.
4. The minimum lot depth shall be 100ft.
5. The minimum front yard setback shall be 20ft.
6. The minimum interior setback shall be 5ft. interior and 10ft. on corner lots.
7. The minimum rear yard setback shall be 20ft.
8. The minimum dwelling unit size shall be 1,800 sq. ft.
9. The maximum lot coverage shall be 50%.
10. Screening for the North and South boundaries of the property shall be constructed of a 6ft. wood fence. Masonry screening shall be required along the front entrance of the property.
11. A 6ft. wrought iron fence shall be provided along the rear (west boundary) of the development.
12. 60% of the residential development shall consist of four (4) lot types. The lot types and percentage breakdown shall reflect as:

Architectural Style	Percentage	Number of Homes
Contemporary	15%	31
Modern Farm	15%	31
Traditional	15%	31
Tudor	15%	31

- The remaining 40% of the residential development shall be determined by the market.
13. No single building elevation shall be duplicated within six (6) lots or tracts either direction on the same blockface.
  14. Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
  15. A minimum of seven (7) floor plans shall be used for each Home Style.
  16. The Site Plan shall conform as approved by the City Council under case number ZDC-142-2021.
  17. Any zoning, land use requirement, or restriction not contained within this zoning ordinance, Development Agreement, or Staff Report shall conform to those requirements and/or standards prescribed in Exhibits B – Planned Development Provisions, Exhibit C – Dominion Park Exhibit Packet, and Exhibit D – Staff Report. Where regulations are not specified in Exhibits B, C, D, in this ordinance, or Development Agreement, the regulations of Single Family-3 zoning of the City of Waxahachie Zoning Ordinance shall apply to this development.

18. A detailed Site Plan packet shall be administratively reviewed and approved in accordance with the Site/Concept Plan.
19. 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 18<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary



# Exhibit B - Development Provisions

(19)

## EXHIBIT "B"

Purpose and intent of this Planned Development (PD) known as Dominion Park is to allow for the development of 207 single family detached homes as shown in the enclosed PD site plan. Any standards not written herein should default to the Base Zoning District (SF-3) as described in the City of Waxahachie's Code of Ordinances.

Compliance with City's Comprehensive Plan:

Single Family – 3 (SF-3) zoning district is the intended base zoning classification underlying this PD. The proposed PD zoning district is intended to be similar to the SF-3 with principal permitted uses include single family detached dwellings.

*Description of the request:*

- We intend to modify the existing Single Family 1 (SF-1) requirements under a planned development which will allow for the development of 207 single family detached homes.

*Proposed use of the property:*

- Dominion Park consists of a mix of residential dwellings with majority of the dwellings being rear entry. Three different lot types are proposed. Type 1 is 60' wide with a minimum lot area of 7,200 SF. Type 2 is 70' wide with a minimum lot area of 8,400 SF. Type 3 is 80' wide with a minimum lot area of 10,200 SF. Overall, lots vary from 7200 SF up to 19,000 SF that blends with the adjacent development. The development will provide a high-quality residential neighborhood that will serve as a model for future developments in this area. The development will feature an elegant entrance monument, water feature, wider roadways, and a masonry fence at the front. Parks, jogging trails, multipurpose sports courts, community gathering areas, 5' sidewalks and lush landscaping are proposed for amenities. Common areas will be maintained by the HOA.

*General development requirements*

- The development site plan is attached in Exhibit "C"
- Elevations are attached in Exhibit "C"
- Density of the proposed development is 3.25 units per acre (outside the floodplain).
- Entrance monument sign, Landscaping and Screening plans are attached in Exhibit "C"
- Main access to Dominion Park will be provided by connecting the proposed entrance to the existing Ovilla Rd and additional access will be provided by connecting to the existing Shephard's Place PD to the north.
- Internal streets: proposed 50' right of way with 30' back to back curb and gutter streets with 5' sidewalks.
- 140' right of way is proposed near the entrance with divided roadway.
- Multiple park areas with amenities are proposed in the development.
- Homeowners association (HOA) will be established.
- All common areas landscaping, playground equipment will be maintained by the HOA.
- Park Benches, Pergolas, Playground, Trash receptacles throughout the open space and park areas.

# Exhibit B - Development Provisions

(19)

- All park areas are within walkable distance to the residences.
- Sidewalk connectivity throughout the development and to the adjacent developments.
- SF lot coverage @50% maximum.
- Proposed masonry percentage for SF residential lots @75%. All materials should be in accordance with the City of Waxahachie requirements.
- Accessory buildings for SF Residential lots limited to 1 per lot with
- All alleyway lots will be rear entry.
- Size of Type 1 SF Residential lots
  - Minimum lot area – 7,200 Square Ft.
  - Minimum lot width – Sixty (60')
  - Minimum lot depth – 100'
- Sizes of SF Residential yards:
  - Minimum Front Yard – 20'
  - Minimum Side Yard – 5' Regular. 10' on corner lots.
  - Minimum Rear Yard – 20'
- Size of Type 2 SF Residential lots
  - Minimum lot area – 8,400 Square Ft.
  - Minimum lot width – Seventy (70')
  - Minimum lot depth – 100'
- Sizes of SF Residential yards:
  - Minimum Front Yard – 20'
  - Minimum Side Yard – 10' Regular and 15' on corner lots.
  - Minimum Rear Yard – 20'
- Size of Type 3 SF Residential lots
  - Minimum lot area – 10,000 Square Ft.
  - Minimum lot width – Eighty (80')
  - Minimum lot depth – 100'
- Sizes of SF Residential yards:
  - Minimum Front Yard – 20'
  - Minimum Side Yard – 10' Regular. 15' on corner lots.
  - Minimum Rear Yard – 20'
- SF lot coverage @50% maximum.
- SF Maximum height at Two (2) stories for the main building. One story for accessory building buildings.
- Minimum building size for Type 3 (10,000SF) lots is 2,400 Square Ft.
- At a minimum, each lot should follow the landscaping requirements shown in exhibit C. A minimum of two (2) canopy trees with a minimum caliper of three and half (3.5) inches per tree shall be required for each dwelling unit.
- A minimum of 2 enclosed parking spaces per dwelling unit in front of rear building line on the same lot as main structure for rear entry houses and rear of front building line on the same lot as main structure for front entry homes.
- 60% of the development should consist of the following lot types and the remaining 40% lot types shall be determined by the market conditions.

# Exhibit B - Development Provisions

(19)

Home Style	Percentage	Minimum Homes
Contemporary	15%	31
Modern Farm	15%	31
Traditional	15%	31
Tudor	15%	31

- No single building elevation shall be duplicated within six (6) lots or tracts either direction on the same block face.
- Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
- 6ft. wrought iron fence shall be provided along the rear of the lots on the western boundary of the development.
- 6ft wood fence shall be provided along the North and South boundaries of the development.

## Single Family Residential (SF1) – Existing Zoning

Height Regulations	
	2 Stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	16,000 SF
Minimum Lot Width	90'
Minimum Lot Depth	140'
Minimum Front Yard	40'
Minimum Side Yard	15' Required; 20' from a street ROW
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum 2 enclosed parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	2,200 SF

# Exhibit B - Development Provisions

(19)

## Type 1 - 60' Wide Lots

Required in base zoning SF3	Type 1	Variances Required for Type 1
Min lot area - 10,000 SF	7,200 SF	Yes
Min lot width - 80'	60'	Yes
Min lot depth -100'	100'	No
Min front yard - 30'	20'	Yes
Min side yard - 10' and 15' on Corner lots	5' and 10' on corner lots	Yes
Minimum rear yard 25'	20'	Yes
Min lot coverage - 50% by main and accessory buildings	50% by main and accessory buildings	No
Min DUA - 1,200 SF	1,800 SF	No

## Type 2 - 70' Wide Lots

Required in base zoning SF3	Type 2	Variances Required for Type 2
Min lot area - 10,000 SF	8,400 SF	Yes
Min lot width - 80'	70'	Yes
Min lot depth -100'	100'	No
Min front yard - 30'	20'	Yes
Min side yard - 10' and 15' on Corner lots	10' and 15' on corner lots	Yes
Minimum rear yard 25'	20'	Yes
Min lot coverage - 50% by main and accessory buildings	50% by main and accessory buildings	No
Min DUA - 1,200 SF	1,800 SF	No

## Type 3 - 80' Wide Lots

Required in base zoning SF3	Type 3	Variances Required for Type 3
Min lot area - 10,000 SF	10,000 SF	No
Min lot width - 80'	80'	No
Min lot depth -100'	100'	No
Min front yard - 30'	20'	Yes
Min side yard - 10' and 15' on Corner lots	10' and 15' on corner lots	No
Minimum rear yard 25'	20'	Yes
Min lot coverage - 50% by main and accessory buildings	50% by main and accessory buildings	No
Min DUA - 1,200 SF	2,400 SF	No



# Exhibit C - Dominion Park Exhibit Packet

	Base Zoning (SF)	Type 1	Variance Required Type 1	Type 2	Variance Required Type 2	Type 3	Variance Required Type 3
Minimum lot area	12,000 SF	7,200 SF	Yes	2,400 SF	Yes	900 SF	Yes
Minimum lot depth	60	30	Yes	20	Yes	10	Yes
Minimum lot width	100	50	No	30	No	15	No
Front yard	20	20	Yes	20	Yes	20	Yes
Minimum side yard	5 and 15 on corner lots	5 and 15 on corner lots	Yes	5 and 15 on corner lots	Yes	5 and 15 on corner lots	Yes
Minimum rear yard	20	20	Yes	20	Yes	20	Yes
Minimum lot coverage	30% for main and accessory buildings	30% for main and accessory buildings	No	30% for main and accessory buildings	No	30% for main and accessory buildings	No
Maximum DUA	1,200 SF	1,200 SF	No	1,000 SF	No	2,400 SF	No
Number of units	10	10	10	10	10	10	10
% of Type	30.3%	30.3%	30.3%	30.3%	30.3%	30.3%	30.3%



**SITE PLAN**  
10-13-2021

**TURKEY**  
TRACT

---

**WAXAHACHE ONE DEVELOPMENT**  
GEORGE SALVADOR  
6350 N I-35E SERVICE ROAD  
WAXAHACHE, TX 75165  
info@waxahachehomes.com

---

**TURKEY TRACT**  
2770 MAIN ST #171  
PRISCO TX 75033  
nicolier.greer@gmail.com  
214-377-0388

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**DOMINION PARK**  
WAXAHACHE, TX 75165

2  
OF  
18

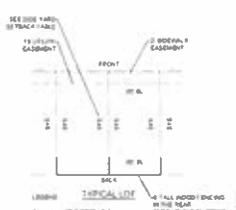


Height Regulations	Single Family Residential (SFR)
Maximum Building Height	2 stories for the main building; 1 story for accessory buildings without parking
Minimum Lot Area	12,000 SF
Minimum Lot Depth	60
Minimum Lot Width	100
Minimum Front Yard	20
Minimum Side Yard	5 (15 required 20 ft on corner lots)
Minimum Rear Yard	20
Maximum Lot Coverage	30% for main and accessory buildings
Parking Regulations	Minimum 2 off-street parking spaces behind the main building for the home
Maximum DUA	100 sq ft for main structure 2,400 SF

**SITE DATA**

EXISTING ZONING: UNDEVELOPED  
 SITES AREA: 79.1 ACRES  
 VISITOR PARKING SPACES: 50  
 PARK AREA 1: 22,400 SF (0.48 ACRES)  
 PARK AREA 2: 60,000 SF (1.38 ACRES)  
 PARK AREA 3: 77,000 SF (1.75 ACRES)  
 GREEN SPACE: 600,000 SF (13.80 ACRES)  
 GREEN SPACE: 11,400 ACRES (261,000 SF) FLOODPLAIN  
 3.00 ACRES (66,000 SF) FLOODPLAIN  
 DENSITY: 2.5 UNITS/ACRE (OUTSIDE THE FLOODPLAIN)  
 1074 UNITS

TOTAL PROJECT AREA = 79.12 AC ACRES  
 AREA OUTSIDE FLOODPLAIN = 63.56 ACRES  
 AREA WITHIN FLOODPLAIN = 15.56 ACRES



**LOT COLOR LEGEND**

LOT COLOR	NO. OF LOTS
Green	55
Yellow	11
Orange	31

**LOT DISTRIBUTION TABLE**

LOT SIZE	NO.	%
2,200 - 3,000 SF	36	19.3%
3,000 - 4,000 SF	79	39.8%
4,000 - 5,000 SF	4	2.1%
5,000 - 6,000 SF	64	32.1%
6,000 - 7,000 SF	20	10.0%
7,000 - 8,000 SF	34	17.1%
8,000 - 9,000 SF	113	56.7%

CONCEPTUAL SITE PLAN

# Exhibit C - Dominion Park Exhibit Packet



SITE PLAN - COLOR CODED

TYPE	NO. OF LOTS	TOTAL AREA (SQ FT)	PERCENTAGE
1500 - SF	48	14,400	100%
1000 - SF	11	11,000	76%
1500 - SF	86	12,900	91%
1500 - SF	36	54,000	39%
SITE ENTRY LOTS	11	16,500	120%
SITE ENTRY LOTS	11	16,500	120%

COLOR CODED PLAN

09-01-2021


**WAXAHACHE ONE DEVELOPMENT**  
 GEORGE SALVADOR  
 6350 N. I-35E. SERVICE ROAD  
 WAXAHACHE, TX 75165  
 info@hancustomhomes.com

**TURKEY TRACT**  
 2770 MAIN ST #171  
 FRISCO, TX 75033  
 h3-civil@engineer4@gmail.com  
 214-377-0588

**DOMINION PARK**  
 WAXAHACHE TEXAS USA

	3
	DP
	18

# Exhibit C - Dominion Park Exhibit Packet



PRELIMINARY WATER AND SANITARY SEWER

LEGEND  
 PROPOSED W SANITARY SEWER  
 PROPOSED W WATER LINE



PRELIMINARY WATER AND SANITARY SEWER

PRELIMINARY WATER AND SANITARY SEWER  
 09-01-2021


WAXAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6330 N I-35E SERVICE ROAD  
 WAXAHACHE, TX 75165  
 info@onecustomhomes.com

20200207  
 200-1-10-2021

TURNKEY TRACT  
 2770 MAIN ST #171  
 FHS00, TX 75033  
 rs.clerger@turnkey.com  
 214-377-0388

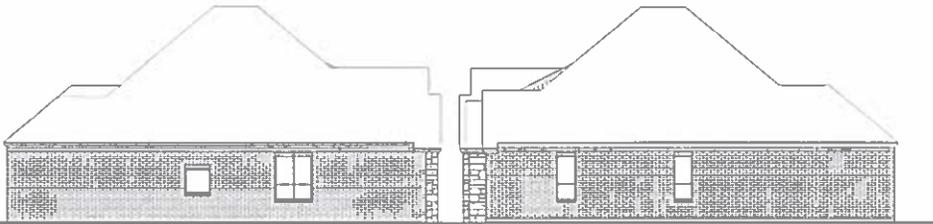
DOMINION PARK  
 WAXAHACHE, TEXAS, USA

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	18

# Exhibit C - Dominion Park Exhibit Packet



FRONT ELEVATION



2750 LEFT ELEVATION  
MIDERN K. KRAMER

2750 RIGHT ELEVATION  
MIDERN K. KRAMER

RENDERING 1  
09-01-2021

WAKAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N I-35E, SERVICE ROAD  
WAKAHACHE, TX 75165  
info@bancustomhomes.com

TURNKEY TRACT  
2770 MAIN ST. #171  
PHSICO, TX 75033  
ra.civildesigner@gmail.com  
214-377-0388

DOMINION PARK  
WAKAHACHE, TEXAS, USA

5  
OF  
18

# Exhibit C - Dominion Park Exhibit Packet



FRONT ELEVATION



3100 FRONT ELEVATION  
TRENCH ECOSYSTEMS



3100 LEFT ELEVATION  
TRENCH ECOSYSTEMS



3100 RIGHT ELEVATION  
TRENCH ECOSYSTEMS



3100 FRONT ELEVATION  
TRENCH ECOSYSTEMS

RENDERING 2  
09-01-2021


**WAXAHACHE ONE DEVELOPMENT**  
GEORGE SALVADOR  
6350 N I-35E SERVICE ROAD  
WAXAHACHE, TX 75165  
info@onecustomhomes.com

**TURKEY TRACT**  
2770 MAIN ST #171  
Frisco, TX 75033  
info@onecustomhomes.com  
214-377-0388

**DOMINION PARK**  
WAXAHACHE, TEXAS, USA

	5
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	16

# Exhibit C - Dominion Park Exhibit Packet



FRONT ELEVATION



2224 FRONT ELEVATION  
FRENCH ELEVATION



2224 RIGHT ELEVATION  
FRENCH ELEVATION



2224 LEFT ELEVATION  
FRENCH ELEVATION



2224 REAR ELEVATION  
FRENCH ELEVATION

RENDERING 3

09-01-2021




WAXAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6300 N I-35E, SERVICE ROAD  
 WAXAHACHE, TX 75165  
 info@turnkeyhomes.com

2770  
 2770 MAIN ST. #171  
 FRENCO, TX 75045  
 214-377-0380

TURNKEY TRACT  
 2770 MAIN ST. #171  
 FRENCO, TX 75045  
 214-377-0380

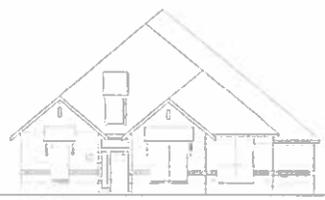
DOMINION PARK  
 WAXAHACHE, TEXAS 75165

Sheet	7
Of	18

# Exhibit C - Dominion Park Exhibit Packet



FRONT ELEVATION



2420 FRONT ELEVATION  
1/2" = 1'-0"



2420 RIGHT ELEVATION  
1/2" = 1'-0"



2420 RIGHT ELEVATION  
1/2" = 1'-0"



2420 RIGHT ELEVATION  
1/2" = 1'-0"

RENDERING 4  
09-01-2021


WAXAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N I-35E, SERVICE ROAD  
WAXAHACHE, TX 75165  
info@turnkeyhomes.com

TURNKEY TRACT  
2710 MAJI ST #171  
FROSCO TX 75033  
info@engrgee4@gmail.com  
214-377-0588

DOMINION PARK  
WAXAHACHE, TEXAS USA

	8
	OF
	16

# Exhibit C - Dominion Park Exhibit Packet



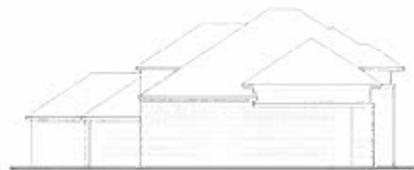
FRONT ELEVATION



FRONT ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

RENDERING 5  
09-01-2021

NO.	DESCRIPTION	DATE

PROJECT: WAXAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N F-35E SERVICE ROAD  
 WAXAHACHE, TX 75165  
 W@Bancustsmhomes.com

DATE: 09/01/21  
 BY: [Signature]

PROJECT: TURKEY TRACT  
 27th MAIN ST #171  
 FORT WORTH, TX 76103  
 A@Bancustsmhomes.com  
 817-377-0388

PROJECT: DOMINION PARK  
 WAXAHACHE, TEXAS, USA

NO.	DESCRIPTION	DATE

# Exhibit C - Dominion Park Exhibit Packet



FRONT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

RENDERING 8

09-01-2021



WATAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
8350 N I-35E SERVICE ROAD  
WATAHACHE, TX 75165  
info@turkeycustomhomes.com

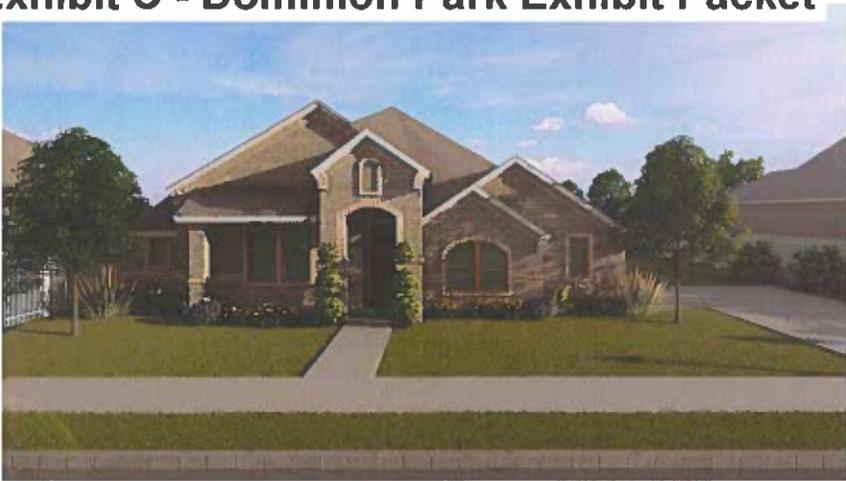
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TURKEY TRACT  
3770 MAIN ST #111  
FRISCO, TX 75033  
turkeyengineer@gmail.com  
214-377-0388

TURKEY TRACT  
3770 MAIN ST #111  
FRISCO, TX 75033  
turkeyengineer@gmail.com  
214-377-0388

DOMINION PARK  
WATAHACHE, TX 75165

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OF  
18

# Exhibit C - Dominion Park Exhibit Packet



FRONT ELEVATION



REAR ELEVATION



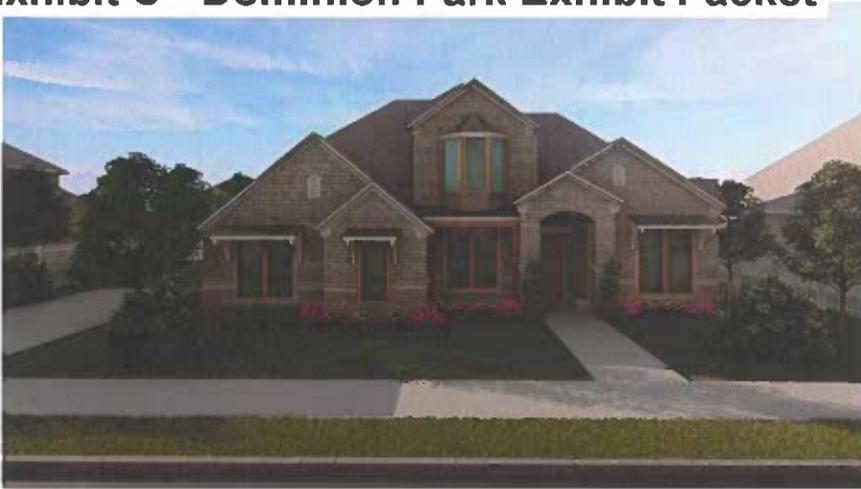
RIGHT ELEVATION



LEFT ELEVATION

RENDERING 7	
09-01-2021	
RAYAHACHE ONE DEVELOPMENT GEORGE SALVADOR 6350 N I-35E, SERVICE ROAD WAXAHACHE, TX 75165 info@blancustomhomes.com	
20200007	
TURKEY TRACT 2770 WANI ST. #171 FRIISCO, TX 75033 rh.civilengineer@gmail.com 214-377-0388	
DOMINION PARK DALLAS, TEXAS, USA	
11	OF
18	

# Exhibit C - Dominion Park Exhibit Packet



FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

RENDERING 8  
09-01-2021


BAYAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N I-35E, SERVICE ROAD  
BAYAHACHE, TX 75165  
info@turnkeytrhomes.com

20200007

TURNKEY TRACT  
2770 MAIN ST #171  
FRISSCO, TX 75055  
ca-landengineer@gmail.com  
214-377-0388

DOMINION PARK  
BAYAHACHE, TEXAS, USA

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	OF
	18

# Exhibit C - Dominion Park Exhibit Packet



Facades 1

09-01-2021


Project Name: 320007

WAKAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N. 135E. SERVICE ROAD  
 WAKAHACHE, TX 75165  
 info@boncustomhomes.com

TURNKEY TRACT  
 2770 MAIN ST. #171  
 PRISCO, TX 75033  
 info@turnkeyhomes.com  
 214-377-0388

DOMINION PARK  
 WAKAHACHE, TEXAS, USA


18 OF 18

# Exhibit C - Dominion Park Exhibit Packet



PLAN 3001 YEAR BIRTH GARAGE



PLAN 2804 YEAR BIRTH GARAGE



PLAN 3003 YEAR BIRTH GARAGE



PLAN 2803 YEAR BIRTH GARAGE

Facades 2

09-01-2021


WYAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 8390 N I-35E SERVICE ROAD  
 WYAHACHE, TX 75165  
 info@barscousinhomes.com

20200000

TURKEY TRACT  
 2720 MAIN ST #171  
 Fritch, TX 75033  
 info@turkeytract.com  
 214-377-0388

DOMINION PARK  
 WYAHACHE, TEXAS, USA

	F2
	OF
	18



# Exhibit C - Dominion Park Exhibit Packet



Facades 4  
09-01-2021


Project Name: WAKAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N. I-35E, SERVICE ROAD  
 WAKAHACHE, TX 75165  
 info@turnkeytrahomes.com

Project Address: 2770 HAWK ST #171  
 PISCATAWAY, NJ 08854

TURNKEY TRACT  
 2770 HAWK ST #171  
 PISCATAWAY, NJ 08854  
 rk.civil@turnkeytrahomes.com  
 214-377-0386

DOMINION PARK  
 WAKAHACHE, TEXAS USA


F4  
OF  
18

# Exhibit C - Dominion Park Exhibit Packet



Facades 5  
09-01-2021


WAKAMACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N I-35E SERVICE ROAD  
WATAKACHE TX 75165  
info@turnkeyhomes.com

20200207

TURNKEY TRACT  
2770 MAIN ST #171  
FRISCO, TX 75033  
fr.turnkeyhomes@gmail.com  
214-377-0388

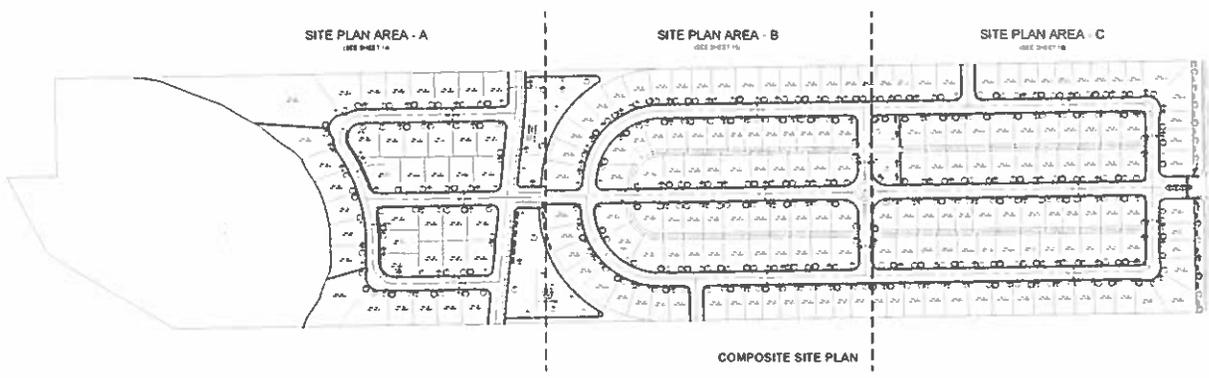
DOMINION PARK  
WATAKACHE TEXAS, USA


P5  
OF  
18

# Exhibit C - Dominion Park Exhibit Packet

SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENTS	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENTS
<b>Trees</b>														
	Quercus shumardii	Shumard Red Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex vomitoria Dwarf Burford	Dwarf Burford Holly	5 Gal	18"-21"	30" O.C.	Ref. Plans	
	Ulmus crassifolia	Coole Elm	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex vomitoria Yapa	Dwarf Yapa Holly	5 Gal	12' Min	30" O.C.	Ref. Plans	
	Quercus virginiana	Southern Live Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Juniperus horizontalis Bar Harbor	Bar Harbor Creeping Juniper	5 Gal	12' Min	48" O.C.	Ref. Plans	
	Pteris caudata	Chinese Palmetto	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Muhlenbergia lindheimeri	Lindheimer's Muly	5 Gal	12' Min	30" O.C.	Ref. Plans	
	Pinus strobus	Algerian Pine	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Myrica pauciflora	Dwarf Southern Wax Myrtle	5 Gal	12' Min	30" O.C.	Ref. Plans	
	Taxodium distichum	Bald Cypress	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk								

**Landscape Requirements**  
 A maximum of 10% canopy trees with a minimum canopy of 10' and half (0.5) inches shall be required for each building unit.  
 Canopy Trees Required: 413  
 Canopy Trees Provided: 473



LANDSCAPE PLAN

09-01-2021


**TURNKEY TRAIL**  
 2770 MAIN ST #171  
 FRISCO, TX 75033  
 rich@turnkeytrails.com | 214-377-0388

**DOMINION PARK**  
 WYANDHOLE, TEXAS, USA


# Exhibit C - Dominion Park Exhibit Packet

SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENTS	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENTS
<b>Trees</b>														
	Quercus shumardii	Shumard Red Oak	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Ilex cornuta Dwarf Burford	Dwarf Burford Holly	1 Gal	18"-24"	30" O.C.	Ref Plans	
	Ulmus crassifolia	Cedar Elm	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Ilex vomitoria Holly	Dwarf Yaupon	5 Gal	12' Min	30" O.C.	Ref Plans	
	Quercus virginiana	Southern Live Oak	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Juniperus horizontalis Bar Harbor	Bar Harbor Creeping Juniper	3 Gal	12' Min	48" O.C.	Ref Plans	
	Pittosporum tobira	Chinese Pittosporum	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Lonicera x Mackenzii	Lindheimer's Mundy	5 Gal	12' Min	30" O.C.	Ref Plans	
	Pinus strobus	Alghan Pine	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Myrica pauciflora	Overt Southern Wax Myrtle	5 Gal	12' Min	30" O.C.	Ref Plans	
	Taxodium distichum	Bald Cypress	12' Min	Ref Plans	Ref Plans	Single Straight Trunk								

**Landscape® Estimations**  
 A maximum of two (2) canopy trees with a minimum caliper of two and half (2 1/2) inches shall be required for each dwelling unit.  
 Canopy Trees Required: 418  
 Canopy Trees Provided: 413



SITE PLAN AREA - A

LANDSCAPE PLAN-AREA - A  
09-01-2021

WATAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N I-35E SERVICE ROAD  
 WATAHACHE, TX 75165  
 info@turnkeytract.com

TURNKEY TRACT  
 2770 MAIN ST #173  
 FRIISCO TX 75051  
 info@turnkeytract.com  
 214-377-0388

DOMINION PARK  
 WATAHACHE, TEXAS, USA

14 OF 18

SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENTS	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENTS
	Quercus shumardii	Shumard Red Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Turn		See comments "Dwarf" Burford	Dwarf Burford Holly	5' Dia	18"-21"	30' @ 10'	Ref. Plans	
	Ulmus crassifolia	Cedar Elm	12' Min	Ref. Plans	Ref. Plans	Single Straight Turn		See comments "Yucca"	Dwarf Yucca	5' Dia	12' Min	30' @ 10'	Ref. Plans	
	Quercus virginiana	Southern Live Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Turn		Juniperus horizontalis	Bar Harbor Creeping Juniper	3' Dia	12' Min	40' @ 10'	Ref. Plans	
	Platanus chinensis	Chinese Platane	12' Min	Ref. Plans	Ref. Plans	Single Straight Turn		Yucca puberula	Lindheimer's Muffin	5' Dia	12' Min	30' @ 10'	Ref. Plans	
	Pinus strobus	Alphian Pine	12' Min	Ref. Plans	Ref. Plans	Single Straight Turn								
	Taxodium distichum	Bald Cypress	12' Min	Ref. Plans	Ref. Plans	Single Straight Turn								

**Landscape Requirements**  
 A minimum of two (2) canopy trees with a minimum caliper of two and half (2 1/2) inches shall be required for each building unit.  
 Canopy Trees Required: 415  
 Canopy Trees Provided: 473



SITE PLAN AREA - B

LANDSCAPE  
PLAN-AREA - B  
09-01-2021


RAYAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N. 35E SERVICE ROAD  
 RAYAHACHE, TX 75165  
 info@bartluttomhomes.com

TURNKEY TRACT  
 277B MAIN ST #171  
 FRISSCO, TX 75033  
 ricci@engineer4@gmail.com  
 214-377-0388

DOMINION PARK  
 RAYAHACHE, TEXAS, USA


# Exhibit C - Dominion Park Exhibit Packet

SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENTS	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENTS
Tree							Plant							
○	Quercus shumardii	Burns Red Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk	○	Desfontainia	Orchid Burreed	5 Gal	18" Dia	30" OC	Ref. Plans	
○	Ulmus crassifolia	Coar Elm	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk	○	Leucocoryza	White Yucca	5 Gal	12' Min	30" OC	Ref. Plans	
○	Quercus virginiana	Southern Live Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk	○	Juniperus horizontalis	Blue Horizontal Juniper	3 Gal	12' Min	48" OC	Ref. Plans	
○	Pinus strobus	Chinese Pines	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk	○	Thuja occidentalis	Green Arborvitae	5 Gal	12' Min	30" OC	Ref. Plans	
○	Pinus strobus	Algerian Pine	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk	○	Myrica pubens	Orchid Southern Wax Myrtle	5 Gal	12' Min	30" OC	Ref. Plans	
○	Taxodium distichum	Bald Cypress	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk								

Landscape Requirements  
 A maximum of two (2) canopy trees with a minimum caliper of five and half (5 1/2) inches shall be required for each parking unit.  
 Canopy Trees Required: 418  
 Canopy Trees Proposed: 472



SITE PLAN AREA - C

LANDSCAPE  
PLAN-AREA - C  
09-01-2021

**TURKEY TRACT**

---

WAYMACHIE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 W I-35C SERVICE ROAD  
 WAYMACHIE, TX 75165  
 gsalvador@bloncustomhomes.com

---

TURKEY TRACT  
 2770 MAIN ST. #171  
 PRISCO, TX 75033  
 turkeyengineer4@gmail.com  
 214-377-0368

---

DOMINION PARK  
 WAYMACHIE, TEXAS, USA

# Exhibit C - Dominion Park Exhibit Packet



ENTRY SIGN AND FENCES



SCREEN WALL

**Edge** LED Street Light  
Smart and Professional

F02 F03 F05 Professional

- 100% LED Efficiency
- 5-Year Warranty (5-Year of Product)
- 100% Dimmable

## FENCE AND LIGHTING

09-01-2021



DATE	09-01-2021
BY	TURNKEY TRACT

WAKAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N I-35E SERVICE ROAD  
 WAKAHACHE, TX 75165  
 info@dominionsh.com

PROJECT NO.	2008007
DATE	09-01-2021
BY	TURNKEY TRACT

TURNKEY TRACT  
 2770 MAIN ST. #131  
 FRISCO, TX 75033  
 nk.civil@turnkeytract.com  
 214-377-0388

DOMINION PARK  
 WAKAHACHE, TEXAS, USA

DATE	09-01-2021
BY	TURNKEY TRACT
PROJECT NO.	2008007

# Exhibit C - Dominion Park Exhibit Packet



ENTRY RENDERING	
09-01-2021	
BAYAHACHE ONE DEVELOPMENT GEORGE SALVADOR 6350 N. 35E. SERVICE ROAD WAXAHACHE, TX 75165 info@bayahachetract.com	
20200007	
TURKEY TRACT 2730 MAUI ST. #171 FIRSCO, TX 75033 ra.civ@engineer4@gmail.com 214-377-8388	
DOMINION PARK WAXAHACHE, TEXAS, USA	
	18
	OF
	18

# Exhibit D - Staff Report

(19)

## Planning & Zoning Department Zoning Staff Report



**Case: ZDC-142-2021**

### MEETING DATE(S)

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held October 12, 2021, the Commission voted 6-0 to recommend approval of zoning change ZDC-142-2021, subject to all staff comments.

It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.

### CAPTION

**Public Hearing** on a request by George Salvador for a **Zoning Change** from a Single Family-1 Zoning to **Planned Development-Single Family-3** zoning district, located at 401 Ovilla Road (Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)

### APPLICANT REQUEST

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 207 single family detached homes.

### CASE INFORMATION

*Applicant:* George Salvador, Waxahachie One Development

*Property Owner(s):* EIS Development II, LLC

*Site Acreage:* 78.22 acres

*Current Zoning:* Single Family-1 (SF-1)

*Requested Zoning:* Planned Development-Single Family-3 (PD-SF-3)

### SUBJECT PROPERTY

*General Location:* 401 Ovilla Rd

*Parcel ID Number(s):* 180391

*Existing Use:* Currently Undeveloped

*Development History:* N/A

# Exhibit D - Staff Report

(19)

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-SF-2	Sheppard's Place Subdivision
East	C & GR	Single Family Residences
South	SF-1	Currently Undeveloped
West	SF-1	Currently Undeveloped

*Future Land Use Plan:*

Low Density Residential with the eastern portion of the property located in Mixed Use Non-Residential.

*Comprehensive Plan:*

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

Mixed Use Non-Residential: Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

*Thoroughfare Plan:*

The subject property is accessible via Ovilla Rd.

*Site Image:*



# Exhibit D - Staff Report

(19)

## PLANNING ANALYSIS

### Purpose of Request:

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 207 single family detached homes. Per the City of Waxahachie Zoning Ordinance, a Planned Development request is required to be reviewed by City Council.

### Case History:

The subject property was heard as case no. ZDC-35-2021 Dominion Park by the P&Z Commission on May, 11, 2021 and by City Council on May 17, 2021. The previous case was a request to change the zoning from SF-1 to PD-SF-3 for 209 single family lots. As part of this case, the applicant proposed three different lot types (Type 1: 60' wide lots, Type 2: 70' wide lots, and type 3: 80' wide lots) on 78.22 acres. 6.41 acres were proposed for park space/open space which included a kid's soccer paly area and multi-purpose sports court. The case was approved per comment by P&Z, but City Council denied the zoning change request.

### Proposed Use:

The applicant is proposing a zoning change request from a Single Family-1 (SF-1) zoning district to Planned Development-Single Family-3, with Concept Plan, located at 401 Ovilla Rd. The proposed development will consist of two hundred seven (207) single family lots and three lot types (Type 1: 60' wide lots, Type 2: 70' wide lots, and Type 3: 80' wide lots) on 78.22 acres. Proposed neighborhood amenities include parks, jogging trails, playground, multipurpose sports courts, and community gathering areas. No homes within the development will have front facing garages. 94 lots (45.41%) will rear entry, and 113 lots (54.58%) will be side entry.

### Changes since the May 17, 2021 City Council Meeting

- Reduced the total number of lots from 209 lots to 207 lots.
- Revised the plan to create a greater mix of lot sizes within the proposed development.
- Removed the alleyways that were located behind lots along the edges of the subdivision.
- Reduced the number of lots less than 10,000 sq. ft. in size from 134 lots to 121 lots.
- Increased the number of 10,000+ sq. ft. lots from 75 lots to 86 lots.
  - o 22 of these lots are greater than 11,000 sq. ft.

### Architectural Styles

The applicant is proposing that 60% of the development consist of the following lot types:

Architectural Style	Percentage	Minimum Homes
Contemporary	15%	31
Modern Farm	15%	31
Traditional	15%	31
Tudor	15%	31

The remaining 40% of the development will be determined by market conditions.

### Conformance with the Comprehensive Plan:

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

- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

# Exhibit D - Staff Report

(19)

**Table 2: Proposed Single Family Residential (per SF-3 standards)**

\*The second column depicts the standards for the current zoning (Single Family-1) of the property. **Note: Items reflected in the second column are not represented in the "Meets" column.**

\*\*The third column depicts the Single Family-3 (SF-3) zoning standards (what the applicant is requesting)

\*\*\*Items highlighted in **bold** do not meet the City of Waxahachie SF-3 requirements

<u>Standard</u>	<u>City of Waxahachie (Existing SF-1 Standards)</u>	<u>City of Waxahachie (Existing SF-3 Standards)</u>	<u>Dominion Park</u>	<u>Meets (Yes/No)</u>
<b>Min. Lot Area</b>	16,000 sq. feet	<b>10,000 sq. ft.</b>	<b>7,200 sq. ft.</b>	<b>No</b>
<b>Min. Lot Width</b>	90 ft.	<b>80 ft.</b>	<b>60 ft.</b>	<b>No</b>
Min. Lot Depth	140 ft.	100 ft.	100 ft.	Yes
<b>Min. Front Setback</b>	40 ft.	<b>30 ft.</b>	<b>20 ft.</b>	<b>No</b>
<b>Min. Interior Setback</b>	15 ft.; 20 ft. (ROW)	<b>10 ft.; 15 ft. (ROW)</b>	<b>5 ft.; 10ft. (ROW)</b>	<b>No</b>
<b>Min. Rear Setback</b>	25 ft.	<b>25 ft.</b>	<b>20 ft.</b>	<b>No</b>
Min. Dwelling Size	2,200 sq. ft.	1,200 sq. ft.	1,800 sq. ft.	Yes
Max. Lot Coverage	50%	50%	50%	Yes
Parking	Minimum of 2 enclosed parking spaces behind the front building line of the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure.	Yes

*Note: Per the Elevation/Façade renderings and Planned Development Provisions, the homes will be constructed of 75% masonry (min.)*

**Table 3: Single Family Lot Notes (207 Total Lots)**

\*\*\*Items highlighted in **bold** do not meet the City of Waxahachie SF3 requirements\*\*\*

<u>Lot Size (Sq. Ft.)</u>	<u>Number of Lots</u>	<u>Lot Percentage</u>
<b>7,200 – 8,000 SF</b>	<b>40 lots</b>	<b>19.32%</b>
<b>8,000 – 9,000 SF</b>	<b>77 lots</b>	<b>37.20%</b>
<b>9,000 – 10,000 SF</b>	<b>4 lots</b>	<b>1.93%</b>
10,000+ SF	86 lots (22 lots > 11,000 sq. ft.)	41.55%
REAR ENTRY LOTS	94	45.41%
SIDE ENTRY LOTS	113	54.59%

## SPECIAL EXCEPTION/VARIANCE REQUEST

### Lot Area

The minimum lot area requirement is 10,000 sq. ft.

- The applicant is proposing a minimum lot size of 7,200 sq. ft. for Type 1 lots
- The applicant is proposing a minimum lot size of 8,400 sq. ft. for Type 2 lots.

### Lot Width

The minimum lot width requirement is 80 ft.

- The applicant is requesting a minimum lot width of 60 ft. for Type 1 lots.
- The applicant is requesting a minimum lot width of 70 ft. for Type 2 lots.

# Exhibit D - Staff Report

(19)

## Front Yard Setback

The minimum front yard setback requirement is 30 ft.

- The applicant is proposing a minimum front yard setback of 20 ft.

## Side Yard Setback

The minimum side yard setback requirement is 10 ft. (interior) and 15 ft. (adjacent to ROW).

- The applicant is proposing a minimum side yard setback of 5 ft. (interior) and 10 ft. (adjacent to ROW).

## Rear Yard Setback

The minimum rear yard setback requirement is 25 ft.

- The applicant is requesting a rear yard setback of 20 ft.

## Screening

Single Family residential development require masonry material for fencing/screening around the subdivision.

- The applicant is proposing a 6 ft. wood fence along the north and south boundaries of the development.

## **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 46 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 one (1) letter of opposition for the proposed development.

## **RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. A mutually agreed upon Development Agreement will be required for the development.
  2. A second traffic circle will need to be provided at the intersection of Burrow Drive and Territorial Way.
  3. A minimum of seven (7) variations of floor plans will be required for each of the four architectural styles.

## **ATTACHED EXHIBITS**

1. Property Owner Notification Response
2. Development Agreement/PD Ordinance
3. Location Exhibit
4. Planned Development Provisions
5. Dominion Park Exhibit Packet
6. Staff Report

## 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

Senior Planner

[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

STATE OF TEXAS           §           DEVELOPMENT AGREEMENT  
   §           FOR DOMINION PARK  
 COUNTY OF ELLIS         §

This Development Agreement for Dominion Park (“Agreement”) is entered into between Waxahachie One Development (“WOD”) and the City of Waxahachie, Texas (“City”). WOD and the City are sometimes referred herein together as the “Parties” and individually as a “Party.”

**Recitals:**

1. WOD is the owner of approximately 78.22 acres of real property generally located at 401 Ovilla Rd., parcel number 180391, in the City of Waxahachie, Texas (the “Property”), for which he has requested a change in the Property’s Single Family-1 zoning to a Planned Development (“PD”) Single Family-3 zoning, revising specific development standards. The Property is currently zoned Single Family-1 by the City, and is anticipated to have the zoning changed to a new PD zoning on October 18, 2021.

2. The planned use of the Property is to create a Planned Development to allow for the development of 207 single family residential homes. The PD zoning process is utilized to ensure that the Property would develop in a manner that meets the City’s desired development standards, as well as providing WOD with agreed-upon and negotiated standards consistent with their business objectives.

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

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the Dominion Park PD Ordinance as contractually-binding obligations between the City of Waxahachie and WOD, and to recognize WOD’s reasonable investment-backed expectations in the Dominion Park PD Ordinance and the planned development of Dominion Park.

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

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

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

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

**Incorporation of Zoning and Recognition of Investment-Backed Expectations:** The negotiated and agreed upon zoning and development standards contained in the Dominion Park PD Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the developer.

The Developer agrees to:

- (A) A mutually agreed upon Development Agreement will be required for the property.
- (B) The minimum lot area shall be 7,200 sq. ft.
- (C) The minimum lot width shall be 60ft.
- (D) The minimum lot depth shall be 100ft.
- (E) The minimum front yard setback shall be 20ft.
- (F) The minimum interior setback shall be 5ft. interior and 10ft. on corner lots.
- (G) The minimum rear yard setback shall be 20ft.
- (H) The minimum dwelling unit size shall be 1,800 sq. ft.
- (I) The maximum lot coverage shall be 50%.
- (J) Screening for the North and South boundaries of the property shall be constructed of a 6ft. wood fence. Masonry screening shall be required along the front entrance of the property.
- (K) A 6ft. wrought iron fence shall be provided along the rear (west boundary) of the development.
- (L) 60% of the residential development shall consist of four (4) lot types. The lot types and percentage breakdown shall reflect as:

Architectural Style	Percentage	Minimum Homes
Contemporary	15%	31
Modern Farm	15%	31
Traditional	15%	31
Tudor	15%	31

The remaining 40% of the residential development shall be determined by the market.

- (M) No single building elevation shall be duplicated within six (6) lots or tracts either direction on the same blockface.
- (N) Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
- (O) A minimum of seven (7) floor plans shall be used for each Architectural Style.
- (P) The Site Plan shall conform as approved by the City Council under case number ZDC-142-2021.
- (Q) Any zoning, land use requirement, or restriction not contained within this Development Agreement, Zoning Ordinance, or Staff Report shall conform to those requirements and/or standards prescribed in Exhibits B – Planned Development Provisions, Exhibit C – Dominion Park Exhibit Packet, and Exhibit D – Staff Report. Where regulations are not specified in Exhibits B, C, D, in this Development Agreement, or Zoning Ordinance, the regulations of Single Family-3 zoning of the City of Waxahachie Zoning Ordinance shall apply to this development.
- (R) A detailed Site Plan packet shall be administratively reviewed and approved in accordance with the Site/Concept Plan.
- (S) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

In consideration of WOD's agreement in this regard, the City of Waxahachie agrees that WOD has reasonable investment-backed expectations in the Dominion Park PD Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in Dominion Park PD Ordinance without impacting WOD's reasonable investment-backed expectations.

**Section 4. Miscellaneous**

- A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.
- B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.

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

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

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

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

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

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

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

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

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

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

**{Signature Pages Follow}**

(20)

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

**CITY OF WAXAHACHIE, TEXAS**

By: \_\_\_\_\_  
Michael Scott, City Manager

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
City Secretary

**STATE OF TEXAS       §**  
**§**  
**COUNTY OF ELLIS     §**

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

[Seal]

By: \_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

**: Waxahachie One Development (Applicant)**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**: Waxahachie One Development (Owner)**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**STATE OF TEXAS                   §**  
**§**  
**COUNTY OF ELLIS               §**

Before me, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, personally appeared \_\_\_\_\_, representative of Loren Gray Investments, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: \_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_



## Memorandum

To: Honorable Mayor and City Council  
From: Gumaro Martinez, Executive Director Parks & Leisure Services  
Thru: Michael Scott, City Manager  
Date: October 13, 2021  
Re: Consider Adoption of Waxahachie Lake Parks Master Plan

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**Item Description:** Consider adopting the Waxahachie Lake Parks master plan as presented.

**Item Summary:** The Waxahachie Lake Parks master plan was presented at the City Council Work Session on September 30, 2021. No changes to the master plan as presented were noted from Council at the work session.

The master plan consultant has been working with the Lake Parks Steering Committee, and staff to develop a formal document to provide guidelines for projects that may be recommended to Council in the future for the city parks on Lake Waxahachie. The 10-month process involved getting input from the steering committee members and staff, regarding concerns and opportunities with each of the lake parks. After several iterations of this process, and fine-tuning the concepts, a final concept and cost estimates were developed for Council to review and make recommendations. It is important to note, that the final concepts were also presented to the Park Board on July 1, 2021, and approved unanimously without any changes.

**Staff Recommendation:** Staff recommends adopting the Waxahachie Lake Parks master plan as presented.