

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, August 15, 2022 at 7:00 p.m.***

Council Members: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Patrick Souter, Council Member Place 2
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5

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

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

- a. Minutes of the City Council meeting of August 1, 2022
- b. Minutes of the City Council briefing of August 1, 2022
- c. Minutes of the City Council work session of August 4, 2022
- d. Event application for 2022 Junk in the Trunk events to be held September 17, 2022 and November 19, 2022
- e. Event application for Downtown Jamboree to be held October 15, 2022 at Railyard Park
- f. Event application for “Run to be Proactive” Veteran’s Oath to be held October 15, 2022 at Getzendaner Park
- g. Event application for Hike for Life 2022 to be held October 22, 2022 at Brown/Singleton Park
- h. Award of bids for one-year contracts with Befour Chemicals and Polydyne for wastewater polymers and Pencco, Inc. for hydrofluorosilicic acid
- i. Supplemental Appropriation for Insurance Reimbursement to the Parks Department Budget in the amount of \$29,152.48
- j. Resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy, Mid-Tex Division

6. **Present** Proclamation proclaiming August 23, 2022 as “Martin Van Buren Davis, Sr. Day”
7. **Public Hearing** on a request by Clint Rhodes, for a Plat of Rhodes Addition, 1 Residential Lot, being 1.00 acres, located at 2407 Howard Rd., (Property ID 182086,) – Owner: MASTERPIECE PROPERTIES (SUB-58-2022)
8. **Consider** approval of SUB-58-2022
9. **Consider** request by Chris Muder, REES Associates Inc., for a detailed Site Plan Review for the Villages of Country Lane, an Assisted & Senior Living use within a Planned Development-90 (Office) zoning district at 110 Park Hills Drive (Property ID: 241956) – Owner: BRIDGEVIEW REALTY CAPITAL LLC (SP-55-2022)
10. **Public Hearing** on a request by Michelle Kucaba, Interplan, LLC, for a Specific Use Permit (SUP) for a Restaurant with a Drive-Through use within a Planned Development-General Retail (PD-GR) zoning district located at 996 W Highway 287 (Property ID 142134) - Owner: CHICK-FIL-A INC (ZDC-47-2022)
11. **Consider** proposed Ordinance approving ZDC-47-2022
12. **Public Hearing** on a request by Jeb Jones, Pro Star Rental, for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Sales and Rental, use within a Light Industrial (LI-1) zoning district located at 2601 North Highway 77 (Property ID 174803) - Owner: CJ COMMERCIAL CO LLC (ZDC-52-2022)
13. **Consider** proposed Ordinance approving ZDC-52-2022
14. **Public Hearing** on a request by Shannon Childs, for a Specific Use Permit (SUP) for an Accessory Dwelling Unit, use within a Single Family – 2 (SF-2) zoning district located at 301 Olive Street (Property ID 180822) - Owner: SHANNON MARIE CHILDS (ZDC-76-2022)
15. **Consider** proposed Ordinance approving ZDC-76-2022
16. **Public Hearing** on a request by Nic Paul, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 116 Spring Creek Drive (Property ID 206116) - Owner: LEE & ANNA L. MARTIN (ZDC-83-2022)
17. **Consider** proposed Ordinance approving ZDC-83-2022
18. **Public Hearing** on a request by Gregory Nehib, Big Blue Truck, LLC, for a Zoning Change from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)
19. **Consider** proposed Ordinance approving ZDC-80-2022
20. **Consider** setting Proposed Tax Rate and Dates for Public Hearing
21. Comments by Mayor, City Council, City Attorney and City Manager

22. 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
August 1, 2022

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, August 1, 2022 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Patrick Souter, Council Member Place 2
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5

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

1. Call to Order

Mayor David Hill called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Pastor Justin Barker, Friendship Baptist Church, gave the invocation. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Tony Clifton, 130 Pecan Valley, Waxahachie, Texas, expressed his concerns with high grass near in his neighborhood and requested action from code enforcement.

Paul Christenson, 110 Williams Street, Waxahachie, Texas, spoke in opposition of the City issuing Certificates of Obligation and requested the City issue General Obligation Bonds that must be voted approved.

Brian Tindle, 204 Charlotte, Waxahachie, Texas, requested citizen input prior to decisions being made by City Council. Mr. Tindle also expressed his concern for lack of notice regarding the Certificates of Obligation process.

5. Consent Agenda

- a. Minutes of the City Council meeting of July 18, 2022
- b. Minutes of the City Council briefing of July 18, 2022
- c. Event application for Hispanic Heritage Event to be held October 1, 2022
- d. Event application for Waxahachie High 2012 Reunion to be held October 23, 2022
- e. Agreement with JP Morgan Chase Bank for Procurement Card Services
- f. Proposal from Cigna to provide employee medical, dental, and vision insurance and authorize City Manager to negotiate and execute all necessary documents

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- g. One-year contract extension with Brenntag Southwest and Chameleon Industries for various chemicals required for water treatment operations at the Howard Road and Sokoll Water Treatment Plants
- h. Award of bid for a one-year contract with Befour Chemicals for wastewater polymers and Pencco, Inc. for hydrofluorosilicic acid
- i. Professional Engineering Services Agreement with Birkhoff, Hendricks and Carter, L.L.P. associated with Lake Bardwell Raw Water Intake Channel Dredging Project
- j. Professional Services Agreement with Criado & Associates, Inc. for the 2022 Sidewalk Project
- k. Professional Services Agreement with Binkley & Barfield, Inc. for the 2022 Asphalt Pavement Rehabilitation Project
- l. Set City Council meeting for Tuesday, September 6, 2022

Action:

Council Member Billie Wallace moved to approve items a. through l. on the Consent Agenda, excluding item h. Mayor Pro Tem Chris Wright seconded, All Ayes.

6. Recognize Melissa Olson for her service as City Council Member

Council Member Billie Wallace recognized Ms. Melissa Olson for her service as a City Council Member from 2018-2022 noting Ms. Olson earned her Certified Municipal Official designation from Texas Municipal League. She thanked Ms. Olson for her dedication and accepted the recognition plaque in Ms. Olson's absence.

7. Recognize Doug Barnes for his service as Mayor and City Council Member

Council Member Wallace recognized Mr. Doug Barnes for his service as Mayor from 2021-2022 and his service as City Council Member from 2020-2022. She thanked Mr. Barnes for his service and commitment to the City of Waxahachie as a Council Member and retired employee.

Mr. Doug Barnes thanked the citizens for allowing him the honor to serve this wonderful community.

8. Public Hearing on a request by Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

Mayor Hill opened the Public Hearing and announced the applicant requested to continue the Public Hearing to the September 6, 2022 City Council meeting.

9. Consider recommendation of SUB-73-2022

Action:

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City Council
August 1, 2022
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Mayor Pro Tem Chris Wright moved to continue the Public Hearing on a request by Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022) to the September 6, 2022 City Council meeting. Council Member Billie Wallace seconded, All Ayes.

10. Consider a request by Brad Yates, Loren Gray Investments, LLC, for a detailed Site Plan review for a proposed Private Club (Event Center) within a Planned Development zoning district, located at 716 Dunaway Street, (Property ID 193948) – Owner: LOREN GRAY INVESTMENTS LLC (SP-70-2022)

Jennifer Pruitt, Senior Director of Planning, reviewed SP-70-2022, noting the applicant is requesting approval of a detailed Site Plan review for a proposed Private Club (Event Center). She reviewed the changes from the previously approved concept plan, noting the civil construction plans and renderings show a second story addition to the existing structure, which consists of a storage area and a balcony overlook. She also noted the applicant is requesting not to install a sidewalk along Avenue C, as agreed to by the applicant in the Development Agreement and stated in the Planned Development Ordinance. Ms. Pruitt noted the Planning and Zoning Commission unanimously voted 6-0 to approve with the following staff comments:

1. Installation of sidewalk from corner of Dunaway, along Avenue C, to connect to the private sidewalk to event center entrance, installation of trees and landscaping along the remainder of Avenue C.
2. The second story enclosed addition (1,250 sf) may only be used for indoor storage as indicated by the applicant. To use this area for event center purposes, the Site Plan shall be re-evaluated at P&Z and City Council for the compatibility of the proposed use of the space and mitigation measures if needed.
3. Evergreen shrubbery will be installed to screen the dumpster enclosure wall.

Brad Yates, 626 Kaufman, Waxahachie, Texas, explained the rooftop area will not be useable. He explained the removal of the full sidewalk on Avenue C is to deter off-street parking.

Mayor Pro Tem Wright inquired about the entrances on the property for those who park to the rear and Mr. Yates noted there will be a rear, side, and front entrance.

Council Member Travis Smith noted he would support use of the top floor as event space if Mr. Yates chooses to do so in the future.

Council Member Patrick Souter expressed his concern with the doors on the top floor alluding to more than storage use.

Action:

Council Member Billie Wallace moved to approve a request by Brad Yates, Loren Gray Investments, LLC, for a detailed Site Plan review for a proposed Private Club (Event Center) within a Planned Development zoning district, located at 716 Dunaway Street, (Property ID 193948) – Owner: LOREN GRAY INVESTMENTS LLC (SP-70-2022) subject to staff comments. Council Member Patrick Souter seconded, All Ayes.

(5a)

- 11. Consider and take action on an ordinance providing for the issuance of the City of Waxahachie, Texas Combination Tax and Revenue Certificates of Obligation, Series 2022, in an aggregate principal amount not to exceed \$21,250,000; and ordaining other matters relating to the subject**

Chad Tustison, Finance Director, reported the bond process began in January 2022 and projects were presented to City Council at their spring retreat. Since then, staff has worked with the City's financial advisors and bond counsel to prepare for the approval of the Certificates of Obligation in the amount of \$21,250,000. He explained the legal posting notifications were published on the City website on June 10, 2022 and published in the newspaper, the Waxahachie Sun, in compliance with State law. He explained the Attorney General's office will review the City's bond process to ensure compliance. He reported the bonds will provide funds for water and wastewater projects, five major street projects, one park project, and one fire truck. He noted bonds were priced this morning and the City secured a great rate of 3.4% accredited to the City's AA credit rating.

ORDINANCE NO. 3332

ORDINANCE PROVIDING FOR THE ISSUANCE OF CITY OF WAXAHACHIE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$21,250,000; AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT

Action:

Council Member Billie Wallace moved to approve Ordinance No. 3332 as presented. Mayor Pro Tem Chris Wright seconded, All Ayes.

- 12. Consider proposed resolution approving assignment of private activity bond authority to Texas Department of Housing and Community Affairs**

City Manager Michael Scott presented the proposed Resolution noting the State of Texas allocates a limited amount of tax exempt bonds for local housing finance corporations to finance mortgage loans for qualified first-time home buyers in its jurisdiction. Because of scale and market conditions, the Texas Department of Housing and Community Affairs has agreed to accept the assignment of any local Housing Finance Corporation's (HFC) bond allocation and issue bonds to finance mortgage loans in the HFC jurisdiction.

RESOLUTION NO. 1331

RESOLUTION APPROVING ASSIGNMENT OF PRIVATE ACTIVITY BOND AUTHORITY TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

Action:

Council Member Billie Wallace moved to approve Resolution No. 1331 as presented. Council Member Patrick Souter seconded, All Ayes.

- 13. Consider award of bid for Monticello Drive Reconstruction Phase I & II Project**

(5a)

James Gaertner, Director of Public Works and Engineering, requested approval for bid award to Circle H Contractors, LP in the amount of \$3,973,000. He explained the project includes the reconstruction of Monticello Drive from Cumberland Road to Richmond Lane. Mr. Gaertner explained staff is also requesting to move \$700,000 from the Street Capital Fund to cover the difference and contingency, for a total of \$4,273,516. He noted funding for the additional construction amount is available from previous project savings.

Mr. Gaertner reported the current plan is to construct Monticello this fiscal year, engineer for Wilmington and Chiles, begin work next fiscal year for Wilmington, and then proceed to Pensacola.

Action:

Council Member Billie Wallace moved to approve the award of bid for Monticello Drive Reconstruction Phase I & II project and approve the transfer of \$700,000 from the Street Capital Fund to cover the difference and contingency, for a total of \$4,273,516. Council Member Travis Smith seconded, All Ayes.

14. Consider approval of Will Serve Agreement and convenience and necessity boundary adjustment with Sardis-Lone Elm Water Supply Cooperation

David Bailey, Director of Utilities, requested approval of a Will Serve Retail Water and Certificate of Convenience and Necessity (CNN) boundary modification agreement between the City of Waxahachie and Sardis-Lone Elm Water Supply Corporation. The agreement will transfer approximately 19.9 acres of CCN from the City of Waxahachie to Sardis and Sardis will transfer approximately 18.5 acres to the City of Waxahachie which will better align with the City's service area.

Action:

Council Member Billie Wallace moved to approve the Will Serve Agreement and convenience and necessity boundary adjustment with Sardis-Lone Elm Water Supply Cooperation. Mayor Pro Tem Chris Wright seconded, All Ayes

15. Consider approval of an Oversize Participation Agreement with JP Tyler, LCC

Mr. Bailey requested approval of an Oversize Participation Agreement with JP Tyler, LLC in the amount of \$261,615. The agreement will provide for the oversizing of approximately 2,725 linear-feet of water line and appurtenances from 12" to 16" in size along, and adjacent to, the west side of IH 35E (Sunbelt Rentals) and south of Hwy 287 Bypass. The 16" diameter water line is identified in the current City's Water Distribution System Master Plan along IH 35E.

Mayor Pro Tem Wright clarified that the developer is required to install a 12" water line and the City will pay the cost difference to upgrade to a 16" water line as outlined in our Water Distribution Master Plan.

Action:

(5a)

Council Member Billie Wallace moved to approve the Oversize Participation Agreement with JP Tyler, LLC for a 16" water line in the amount of \$261,615 funded by Water Impact Fees. Council Member Travis Smith seconded, All Ayes

16. Consider supplemental appropriation for reinstatement of project funding

Mr. Scott requested approval of a supplemental appropriation for reinstatement of project funding in the amount of \$1,237,457 from unallocated General Fund reserves. He explained the City was a victim of a scheme that resulted in the transfer of funds to a fraudulent account. The incident is continuing to be investigated by local and federal law enforcement.

Action:

Council Member Billie Wallace moved to approve the supplemental appropriation for reinstatement of project funding in the amount of \$1,237,457 from unallocated General Fund reserves. Council Member Patrick Souter seconded, All Ayes

17. Convene into Executive Session for consultation with attorney as permitted by Texas Government Code, Section 551.071 and for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code

Mayor Hill announced at 7:49 p.m. the City Council would convene into Executive Session for consultation with attorney as permitted by Texas Government Code, Section 551.071 and for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code.

18. Reconvene and take any necessary action

The meeting reconvened at 8:02 p.m.

Action:

Council Member Billie Wallace moved to approve the Agreement with ARH, LLC outlining the transfer of ownership, development and operation of the property at 216 North College Street; providing incentives per the agreement; and authorizing the City Manager to amend and execute all documents necessary pending final approval of the City Attorney. Council Member Patrick Souter seconded, All Ayes

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

Deputy City Manager Albert Lawrence thanked the Finance Department for their work and for receiving the Distinguished Budget Presentation award from the Government Finance Officers Association.

Council Member Billie Wallace thanked City staff for all their work and thanked City Manager Michael Scott for his accessibility and response even while on vacation.

City Manager Michael Scott thanked City Council for their support of City projects. Mr. Scott also acknowledged and thanked City field personnel working in the summer heat.

(5a)

City Council
August 1, 2022
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Mayor Pro Tem Chris Wright thanked Doug Barnes and Melissa Olson for their service on City Council and he also thanked the Finance Department for their work. Mr. Wright reviewed the City's bond process and ethics of the City noting State laws have been followed during the process of issuing Certificates of Obligation. He expressed his support for issuing Certificates of Obligation to support necessary City projects while having leisure items, such as park projects, approved by voters. He explained all debt is not paid by ad valorem taxes and identified the various funds that pay debt.

Council Member Patrick Souter thanked Pastor Malcolm Finkley, Pulse Community Church, for inviting him to attend a 3-on-3 basketball tournament noting it was a great event for the community. Mr. Souter supported providing additional information to the citizens for review. He explained Certificates Obligation are legal, ethical, and City Council is expected to spend the money properly.

City Attorney Robert Brown explained there are multiple checks and balances during the process of issuing Certificates of Obligation and the process is overseen by financial advisors and a bond counsel. He noted Certificates of Obligation offers an alternative way to fund necessary City projects and citizens can request an election through a validated petition as outlined by State law.

20. Adjourn

There being no further business, the meeting adjourned at 8:22 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5b)

City Council
August 1, 2022

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, August 1, 2022 at 6:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Patrick Souter, Council Member Place 2
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5

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

1. Call to Order

Mayor David Hill called the meeting to order.

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

City Manager Michael Scott reviewed the following agenda items:

- Item 5c, event application for Hispanic Heritage Event to be held October 1, 2022
- Item 5d, event application for Waxahachie High 2012 Reunion to be held October 23, 2022
- Item 5e, agreement with JP Morgan Chase Bank for procurement card services through the interlocal agreement with the City of Fort Worth.
- Item 5f, proposal from Cigna to provide employee medical, dental, and vision insurance. With assistance from the City's insurance brokerage consultant, the City requested competitive bids for FY 22-23 and recommends switching carriers from Blue Cross Blue Shield to Cigna to minimize the increase in premiums, as well as diversify plan offerings by adding a high deductible health plan option that includes a health savings account.
- Item 5g, one-year contract extension with Brenntag Southwest and Chameleon Industries for various chemicals required for water treatment plant operations at the Howard Road and Sokoll Water Treatment Plants.
- Item 5h, this item will be removed from the consent agenda and considered at a future meeting.
- Item 5i, professional services agreement with Birkhoff, Hendricks and Carter, L.L.P. associated with Lake Bardwell Raw Water Intake Channel Dredging project in the amount of \$216,000.
- Item 5j, professional services agreement with Criado & Associates, Inc. for the 2022 Sidewalk Project in the amount of \$89,769.50.
- Item 5k, professional services agreement with Binkley & Barfield, Inc. for the 2022 Asphalt Pavement Rehabilitation Project in the amount of \$56,500.
- Item 5l, set City Council meeting for Tuesday, September 6, 2022.
- Items 6 & 7, recognizing outgoing Council Members Melissa Olson and Doug Barnes.

(5b)

- Item 8, SUB-73-2022, the applicant requested to continue the Public Hearing to the September 6, 2022 City Council meeting.
- Item 12, proposed resolution approving assignment of private activity bond authority to the Texas Department of Housing and Community Affairs.
- Item 16, approval of supplemental appropriation for reinstatement of project funding.

Jennifer Pruitt, Senior Director of Planning, reviewed SP-70-2022, noting the applicant is requesting approval of a detailed Site Plan review for a proposed Private Club (Event Center). She reviewed the changes from the previously approved concept plan, noting the civil construction plans and renderings show a second story addition to the existing structure, which consists of a storage area and a balcony overlook. She also noted the applicant is requesting not to install a sidewalk along Avenue C, as agreed to by the applicant in the Development Agreement and stated in the Planned Development Ordinance. Ms. Pruitt noted the Planning and Zoning Commission unanimously voted 6-0 to approve with the following staff comments:

1. Installation of sidewalk from corner of Dunaway, along Avenue C, to connect to the private sidewalk to event center entrance, installation of trees and landscaping along the remainder of Avenue C.
2. The second story enclosed addition (1,250 sf) may only be used for indoor storage as indicated by the applicant. To use this area for event center purposes, the Site Plan shall be re-evaluated at P&Z and City Council for the compatibility of the proposed use of the space and mitigation measures if needed.
3. Evergreen shrubbery will be installed to screen the dumpster enclosure wall.

Mayor Pro Tem Chris Wright expressed his concerns with usage of the balcony and the reduction of the sidewalk on Avenue C, as previously agreed to and approved.

Chad Tustison, Finance Director, reviewed Item 11, noting the bond process began in January 2022 and projects were presented to City Council at their spring retreat. Since then, staff has worked with the City's financial advisors and bond counsel to prepare for the approval of the Certificates of Obligation in the amount of \$21,250,000. He explained the legal posting notifications were published in June and the bonds will provide funds for 19 projects.

Marti Shew, Hilltop Securities, explained the City received a great rate of 3.41% which is accredited to the City's AA credit rating.

James Gaertner, Director of Public Works and Engineering, reviewed Item 13 noting the requested bid award to Circle H Contractors, LP in the amount of \$3,973,000 includes the reconstruction of Monticello Drive from Cumberland Road to Richmond Lane. Mr. Gaertner explained staff is also requesting to move \$700,000 from the Street Capital Fund to cover the difference and contingency, for a total of \$4,273,516.

David Bailey, Director of Utilities reviewed the following items:

- Item 14, requesting approval of a Will Serve Retail Water and Certificate of Convenience and Necessity (CNN) boundary modification agreement between the City of Waxahachie and Sardis-Lone Elm Water Supply Corporation. The agreement will transfer

(5b)

approximately 19.9 acres of CCN from the City of Waxahachie to Sardis and Sardis will transfer approximately 18.5 acres to the City of Waxahachie which will better align with the City's service area.

- Item 15, requesting approval of Oversize Participation Agreement with JP Tyler, LLC in the amount of \$261,615. The agreement will provide for the oversizing of approximately 2,725 linear-feet of water line and appurtenances from 12" to 16" in size along, and adjacent to, the west side of IH 35E and south of Hwy 287 Bypass. The 16" diameter water line is identified in the current City's Water Distribution System Master Plan along IH 35E.

3. Adjourn

City Manager Michael Scott announced the City Council Budget Work Session will be held on Thursday, August 4 at 5:30 p.m. Mr. Scott also recognized the Finance Department for receiving the Distinguished Budget Presentation award from the Government Finance Officers Association.

There being no further business, the meeting adjourned at 6:31 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

City Council
August 4, 2022

(50)

A Work Session 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 Thursday, August 4, 2022 at 5:30 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1
Chris Wright, Mayor Pro Tem, Council Member Place 3
Patrick Souter, Council Member Place 2
Billie Wallace, Council Member Place 4
Travis Smith, Council Member Place 5

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
Chad Tustison, Finance Director
Clarice Crocker, Records Coordinator

1. Call to Order

Mayor David Hill called the meeting to order.

2. Discussion of City of Waxahachie Fiscal Year 2022-2023 Budget

City Manager Michael Scott stated this is the second work session, the City Council held a work session in June to review the budget initially. He explained this work session is to review updated information and will reflect discussion held at the first budget meeting.

Finance Director Chad Tustison presented an update regarding the FY 2023 Budget and reviewed the following items:

- Inflation and Budget Impact
- FY 2023 Proposed Budget
- FY 2023 General Fund by Function
- Property Tax Update
- Impact to Homeowner
- Breakdown of Tax Bill
- Sales Tax Revenue Updates
- Other Updates
- Fund Summary: General Fund, Water Fund, Wastewater Fund, and WCDC Fund
- Current Rates and Exemptions
- Residence Homestead Tax Ceiling/Freeze
- Local Homestead Exemption
- Ad Valorem Levy Calculation
- Budget Next Steps
 - August 15th – Consider Proposed Tax Rate and Set Hearing Date
 - August 30th – Public Hearing on Budget and Tax Rate
 - September 6th – Budget and Tax Rate Adoption

(50)

Mr. Tustison stated the FY 2023 proposed budget is for \$115 million dollars. Mr. Tustison reviewed the Net Taxable Value noting the increase in FY 2021 was \$3.96 billion, \$5.17 billion in FY 2022, which is a \$1.21 billion / 30% taxable value increase for the city. With the value increases, Staff is proposing a three-cent decrease, from \$0.6600 to \$0.6300. Mr. Tustison reviewed the impact to a homeowner on the home value of \$250,000, noting the City also provides homestead exemptions to Senior and Disabled Persons, equating to over \$1.5 million in property tax relief. Mr. Tustison reviewed the Current Rates and Exemptions of surrounding areas. City Council held discussion and expressed support for Staff to review the increase of exemptions for citizens and to add additional comparable cities to the chart for next year's budget process.

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

Mayor Hill thanked City Council for good discussion of budget.

Mr. Scott thanked City Council for their support and direction with the budget process.

4. Adjourn

There being no further business, the meeting adjourned at 6:08 p.m.

Respectfully submitted,

Clarice Crocker
Records Coordinator



(5d)

Date submitted _____

Applicant name: Amy Waters

Are you representing the host organization? Yes No

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

Phone: 214-240-3953 Cell: same

Email: _____

Mailing address: 308 S. College, Waxahachie TX 75165

Host organization name: Waxahachie Downtown Merchants Assoc.

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

On-site contact name: Leon Talent Cell: 512-657-4444

Event name: Junk in the Trunk

Location: 100 block of W. Franklin St.

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

Anticipated attendance: 300-500

Description of event: Antique/crafts vendor market

How many times has this event been hosted before?

1st time 2 – 4 times 5 or more times Location: N. College, E. Franklin

Choose the best description of the event:

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



(5d)

Event activities include (check all that apply):

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

The event is:

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

Admission information, if applicable:

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

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	9/17, 11/19	9:00 a.m.	4:00 p.m.
Event Set-up	same	6:00 a.m.	9:00 a.m.
Event Breakdown	same	4:00 p.m.	4:30 p.m.

Run / Walk:

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

_____ 1 mile _____ 5K _____ Other distance

Please indicate your expected attendance: _____

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



(5d)

Food / Beverage:

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

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

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

Police / Security Services:

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

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

Company name: _____

Contact name and number: _____

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

Have you made arrangements with the police? Yes No

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

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

Contact name: _____ Phone number: _____

Street Closures:

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

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

100 block of W. Franklin

Street closings to begin on date: 9/17; 11/19 Start time: 6:00 am End time: 5:00 pm

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

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

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

Traffic Cones How many: _____ Barricades How many: 2

Other: _____

Where should equipment be dropped off & picked up? Pocket park at College & Franklin



When will the traffic equipment be set-up?

Date: 9/17; 11/19 Time: 6:00 am

When will the traffic equipment be removed?

Date: same Time: 5:00 pm

Are you requesting the use of City traffic equipment?

Yes No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

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

Yes No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator Franchise Utilities Both

List contractor / supplier:

Explain services in detail:

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

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

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

Amey Wabon
Signature

7-26-22
Date

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

Amey Wabon
Signature

7-26-22
Date

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

Received: 4 letters of support from businesses affected.

(5d)



Courthouse Square

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

FRANKLIN

30 29 28 27 26 25 24 23 22 21 20 19 18 17

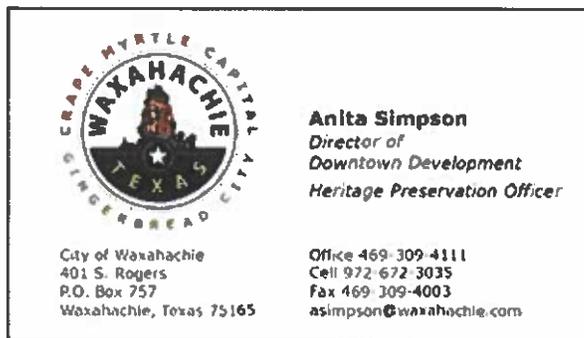
(5d)

Bonner, Jami

From: Simpson, Anita
Sent: Tuesday, August 9, 2022 11:36 AM
To: Bonner, Jami; Gaertner, James; Massey, Matt; Mosley, Laurie; Wade Goolsbey; Ricky Boyd; Griffith, Thomas; Me'Lony Jordan; Brooks, Shon; Warren, Anthony
Cc: Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Junk in the Trunk

The streets will be closed for the September date for C-10's event that was approved by council on July 18th anyway. Letting the merchants utilize this section in the hours before the C-10's event will be a great way to provide activity to the affected merchants and justify the all-day street closure.

I support this application and Wally and I will work to make sure both event go smoothly.



From: Bonner, Jami
Sent: Tuesday, August 9, 2022 11:30 AM
To: Simpson, Anita <asimpson@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@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 - Junk in the Trunk

For your review / comments. Thank you.

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

(5d)

Bonner, Jami

From: Mosley, Laurie
Sent: Tuesday, August 9, 2022 11:46 AM
To: Simpson, Anita; Bonner, Jami; Gaertner, James; Massey, Matt; Wade Goolsbey; Ricky Boyd; Griffith, Thomas; Me'Lony Jordan; Brooks, Shon; Warren, Anthony
Cc: Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Junk in the Trunk

I support the request for the same reasons that Anita cites below.

Thank you!

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

From: Simpson, Anita <asimpson@waxahachie.com>
Sent: Tuesday, August 9, 2022 11:36 AM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Junk in the Trunk

The streets will be closed for the September date for C-10's event that was approved by council on July 18th anyway. Letting the merchants utilize this section in the hours before the C-10's event will be a great way to provide activity to the affected merchants and justify the all-day street closure.

I support this application and Wally and I will work to make sure both event go smoothly.

	<p>Anita Simpson <i>Director of Downtown Development Heritage Preservation Officer</i></p>
<p>City of Waxahachie 401 S. Rogers P.O. Box 757 Waxahachie, Texas 75165</p>	<p>Office 469-309-4111 Cell 972-672-3035 Fax 469-309-4003 asimpson@waxahachie.com</p>

(9d)

Bonner, Jami

From: Gaertner, James
Sent: Tuesday, August 9, 2022 10:19 PM
To: Mosley, Laurie
Cc: Simpson, Anita; Bonner, Jami; Massey, Matt; Wade Goolsbey; Ricky Boyd; Griffith, Thomas; Me'Lony Jordan; Brooks, Shon; Warren, Anthony; Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice
Subject: Re: Event Application - Junk in the Trunk

We will provide support for this event. Let us know what is needed.

James G
Sent from my iPhone

On Aug 9, 2022, at 11:46 AM, Mosley, Laurie <lmosley@waxahachiecvb.com> wrote:

I support the request for the same reasons that Anita cites below.

Thank you!

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

From: Simpson, Anita <asimpson@waxahachie.com>
Sent: Tuesday, August 9, 2022 11:36 AM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Junk in the Trunk

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I support this application and Wally and I will work to make sure both event go smoothly.

(9e)



Application for a Festival or Event Permit

Event Name and Description: Downtown Jamboree
Free, family-friendly concert featuring local artist Gary Fox
and Fox Country

Applicant Information

Name: Paul O'Rear
Address: 201 Cumberland Rd.
City, State, Zip: Waxahachie, TX 75165 Phone: 972-896-7839
E-mail Address: paulorear@fastmail.com

Organization Information

Organization Name: Moral Courage Foundation
Address: P.O. Box 585, Waxahachie, TX 75168
Authorized Head of Organization: Paul O'Rear
Phone: 972-896-7839 E-mail Address: paulorear@fastmail.com

Event Chairperson/Contact

Name: Paul O'Rear
Address: 201 Cumberland Rd.
City, State, Zip: Waxahachie, TX 75165 Phone: 972-896-7839
E-mail Address: paulorear@fastmail.com

Event Information

Event Location/Address: Railyard Park, 455 S. College St., Waxahachie
Purpose: Fundraiser for scholarship program
Event Start Date and Time: October 15, 2022 @ 7:00 PM
Event End Date and Time: October 15, 2022 @ 9:00 PM

(5e)

Approximate Number of Persons Attending Event Per Day: 150-175

Site Preparation and Set-Up Date and Time: October 15, 2022 @ 4:00 PM

Clean-Up Completion Date and Time: October 15, 2022 @ 10:00 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.

Food trucks, we will sell bottled/canned non-alcoholic drinks

Requested City Services: electricity, polycarts, stage drive access

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 of Applicant

July 14, 2022
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).

(50)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Friday, July 15, 2022 10:31 AM
To: Villarreal, Amber
Subject: RE: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

I have no concerns with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, July 15, 2022 9:32 AM
To: Wade Goolsby <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Subject: FW: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC
City Secretary
City of Waxahachie

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

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

From: Skistimas, Kelly
Sent: Friday, July 15, 2022 9:25 AM
To: Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Cc: paulorear@fastmail.com
Subject: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

Good morning Amber,

Please see attached event application from Paul O'Rear at the Moral Courage Foundation.

(5e)

Villarreal, Amber

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Friday, July 15, 2022 10:36 AM
To: Villarreal, Amber; Ricky Boyd; Martinez, Gumaro; Barnes, Bradley; Gaertner, James; Griffith, Thomas; Skistimas, Kelly; Mosley, Laurie; Me'Lony Jordan; Simpson, Anita
Cc: Scott, Michael; Lawrence, Albert; Crocker, Clarice; Bonner, Jami
Subject: RE: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

I don't have any issues with it.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
469-309-4411

H.E.A.R.T

Honor Ethics Accountability Respect Transparency

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, July 15, 2022 9:32 AM
To: Wade Goolsby <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Subject: FW: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

For your review/comments.

Thank you,

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City Secretary
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www.waxahachie.com

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(9c)

Bonner, Jami

From: Gaertner, James
Sent: Monday, July 18, 2022 8:14 AM
To: Villarreal, Amber; Wade Goolsbey; Ricky Boyd; Martinez, Gumaro; Barnes, Bradley; Griffith, Thomas; Skistimas, Kelly; Mosley, Laurie; Me'Lony Jordan; Simpson, Anita
Cc: Scott, Michael; Lawrence, Albert; Crocker, Clarice; Bonner, Jami
Subject: RE: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

I don't have comments to this event.

James G.

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, July 15, 2022 9:32 AM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Subject: FW: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC
City Secretary
City of Waxahachie

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

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From: Skistimas, Kelly
Sent: Friday, July 15, 2022 9:25 AM
To: Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Cc: paulorear@fastmail.com
Subject: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

Good morning Amber,

Please see attached event application from Paul O'Rear at the Moral Courage Foundation.

(5e)

Bonner, Jami

From: Martinez, Gumaro
Sent: Tuesday, July 26, 2022 10:15 AM
To: Bonner, Jami; Mosley, Laurie; Simpson, Anita
Cc: Skistimas, Kelly
Subject: RE: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

No concerns from Parks Dept for this event.

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 cell
gmartinez@waxahachie.com

From: Bonner, Jami
Sent: Tuesday, July 26, 2022 8:57 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Skistimas, Kelly <kelly.skistimas@waxahachie.com>
Subject: FW: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

Good morning,

Please let me know if you have any feedback in regards to the attached event application for the "Downtown Jamboree" to be held on October 15th. The attached application indicates they will have food trucks. Do you have any concerns with closing College St adjacent from Railyard Park as previously done for food trucks? Thank you.

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, July 15, 2022 9:32 AM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Skistimas, Kelly <kelly.skistimas@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Scott, Michael <mScott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Subject: FW: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

For your review/comments.

Thank you,

(5/6)

Bonner, Jami

From: Simpson, Anita
Sent: Tuesday, July 26, 2022 10:28 AM
To: Bonner, Jami; Martinez, Gumaro; Mosley, Laurie
Cc: Skistimas, Kelly
Subject: RE: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

No comments

From: Bonner, Jami
Sent: Tuesday, July 26, 2022 8:57 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Skistimas, Kelly <kelly.skistimas@waxahachie.com>
Subject: FW: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

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Cc: Scott, Michael <mScott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>
Subject: FW: Event Application - Downtown Jamboree - Moral Courage Railyard Park Reservation Request

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC
City Secretary
City of Waxahachie
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www.waxahachie.com

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(5f)



Application for a Festival or Event Permit

Event Name and Description: "Run to be Proactive" Veteran's OATH is here to be proactive rather than reactive on getting homeless veterans off the street as well as keeping veterans in their homes.

Applicant Information

Name: Kye White
Address: 402 Ashlawn Dr.
City, State, Zip: Midlothian, Texas 76065 Phone: (903) 851-5747
E-mail Address: kyewhite@oath2015.org

Organization Information

Organization Name: OATH (Soon to officially be Veteran's OATH)
Address: P.O. Box 568, Midlothian, Texas 76065
Authorized Head of Organization: Kye White
Phone: (903) 851-5747 E-mail Address: kyewhite@oath2015.org

Event Chairperson/Contact

Name: Nichole Vasquez
Address: 2515 west jefferson st. #125
City, State, Zip: Grand Prairie, Texas 75051 Phone: (817) 675-9181
E-mail Address: nvfitt01@icloud.com

Event Information

Event Location/Address: Getzendaner Memorial Park Waxahachie, Texas 75165
Purpose: Raise money to help get homeless veterans off the street as well as keep veterans in their homes
Event Start Date and Time: October 15, 2022 0800 hrs (8 a.m.)
Event End Date and Time: October 15, 2022 1300 hrs (1 p.m.)

(5f7)

Approximate Number of Persons Attending Event Per Day: 500-5000

Site Preparation and Set-Up Date and Time: October 15, 2022 0600 hrs 6 a.m.

Clean-Up Completion Date and Time: October 15, 2022 1300 hrs 1 p.m.

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

We will have a number of various vendors not sure how many or who just yet. No street closures are needed

We will have bounce houses. If it is ok, we will set them up next to the playground.

Requested City Services: Extra Restrooms on the trail, cones and tape to mark off Vendor area's.

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

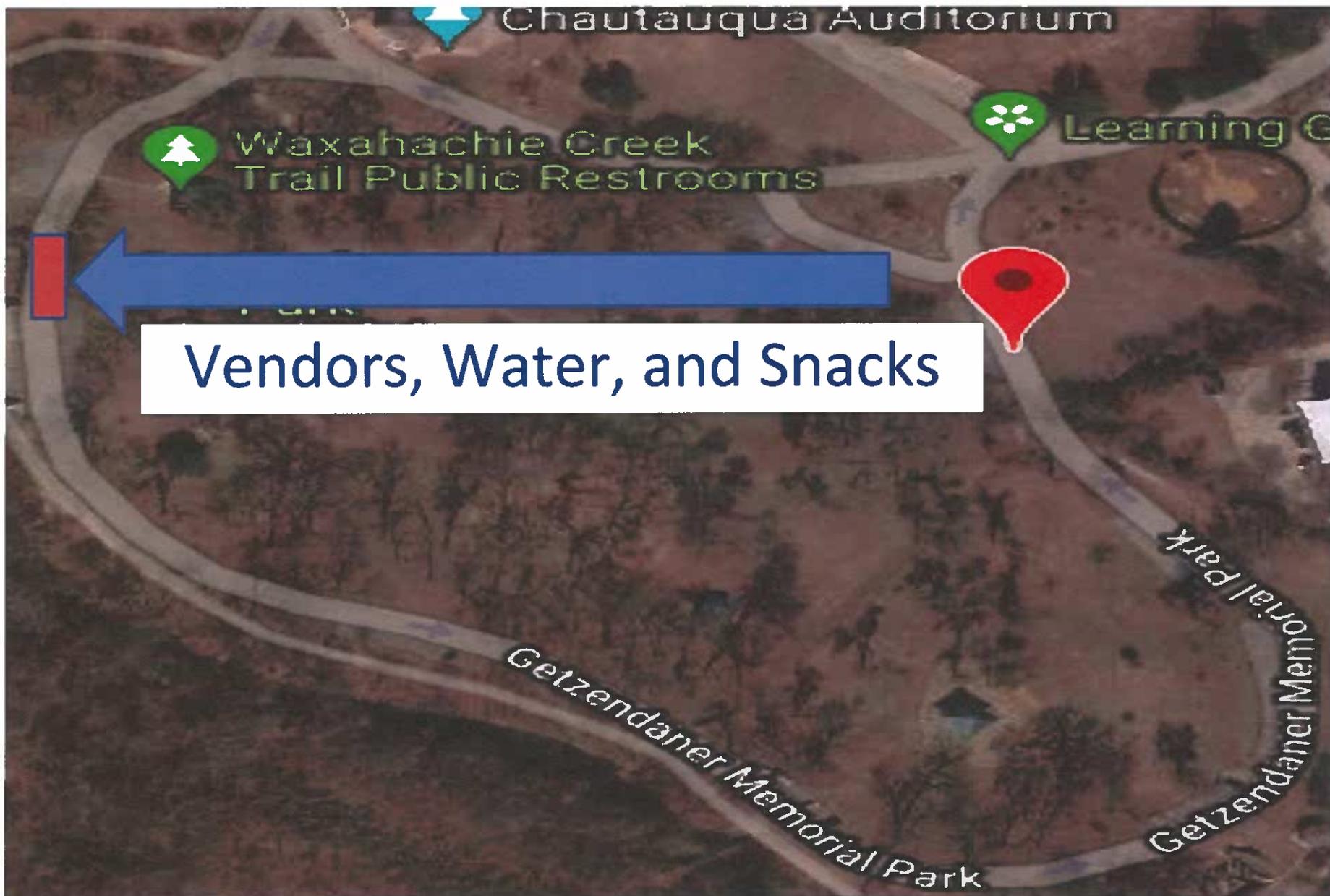
7/11/2022
Date

*** 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).**



Veteran's OATH

(We're Family Taking Care of Family)



Vendors, Water, and Snacks

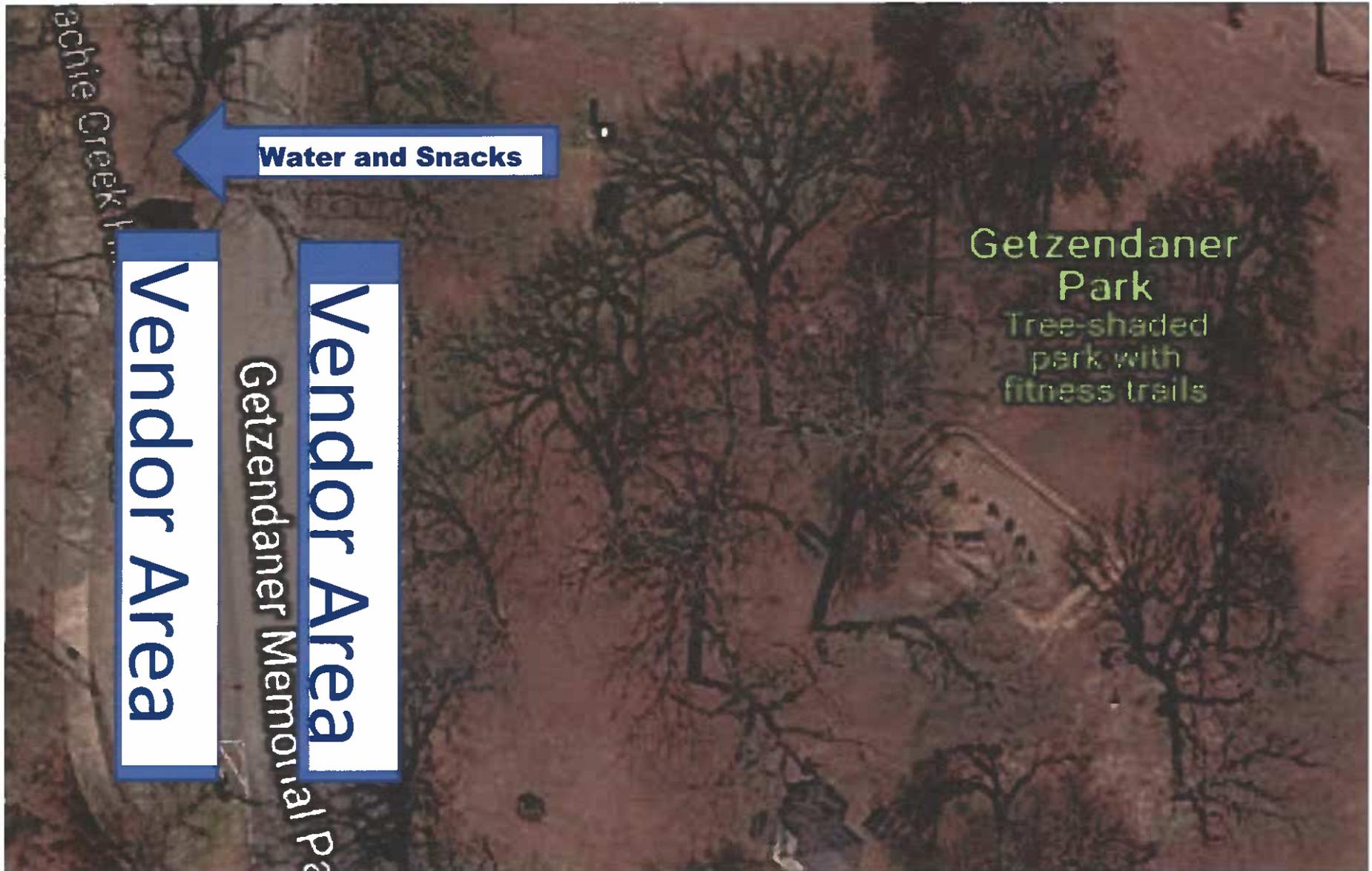
(517)

Veteran's OATH is here to pick those up that have fallen!! Leave no soldier behind!!! Please donate at veteransoath.org



Veteran's OATH

(We're Family Taking Care of Family)



(5f)

Veteran's OATH is here to pick those up that have fallen!! Leave no soldier behind!!! Please donate at veteransoath.org



Veteran's OATH

(We're Family Taking Care of Family)



(57)

Veteran's OATH is here to pick those up that have fallen!! Leave no soldier behind!!! Please donate at veteransoath.org

(5f)



Veteran's OATH

(We're Family Taking Care of Family)



Resources Request:

1. We need four porta potties at two different areas (the $\frac{3}{4}$ mile and at the turnaround point just beyond the 1 mile and $\frac{1}{2}$ under the big bridge).
2. We will have four water points along the route one at the $\frac{1}{4}$ mile, $\frac{3}{4}$ mile, 1 mile, and the one and $\frac{1}{2}$ mile. I want at least two trash cans at each spot for the water cups to be tossed into after the runners drink them. I know you have trash cans along the route already.
3. I need cops in the cemetery to prevent any confusion with possible traffic just along the running route. I believe there are three parts where the road loops around and will have access to the runners.
4. Not sure we need firefighters or Ems at this time. I do know the Fire House is close to the park.

Safety Officers (We will have Zello to keep us in communication with one another) (Will be on bicycles)

1. We have two safety officers who will be checking on the weather and roaming the route to ensure no one is hurt or confused. They will also have contact with all the water stations along the route.
2. Chain of Command will be as follows:
 - a. Nicole Vasquez (Event Organizer)
 - b. Kye White (Assistant Event Organizer)
 - c. Joe Amodio and Jamie Stratton (Safety Officers)
 - d. Trail Support (Golf Cart or Mule will follow the last run/walk person(s) to ensure everyone meets the minimal time request.
 - e. $\frac{1}{4}$ mile water table, $\frac{3}{4}$ mile water table, 1-mile water table, and on the one and $\frac{1}{2}$ mile water table
 - f. Volunteers (some runners, boy scouts, and friends)
3. Shelter in place won't be an issue. If the weather looks to be that bad, we will postpone the race until further notice.
4. What if's (Safety Officers should be the first to arrive and will have the knowledge to help in all situations)
 - a. Heatstroke victims will have plenty of shade and someone trained to help them until the EMS arrives.
 - b. Lost Children will be taken to the nearest water station until a safety officer arrives.
 - c. Heart attack victims will be attended to ASAP and treated with care. Safety Officer Joe Amodio will be the main point of contact until EMS arrives. Joe knows CPR.
 - i. Each Officer only has to cover $\frac{3}{4}$ of a mile a piece. This will cover the whole mile and a half course we have.

(sf)



Veteran's OATH

(We're Family Taking Care of Family)



Traffic Flow

1. The only place where traffic will be a huge issue is at the beginning of the race and through the graveyard.
 - a. At the beginning, we can stop traffic until everyone clears out. This is not a major road.
 - b. The graveyard will need to be looked after by law enforcement if possible. If not, we can have volunteers parked on the road in the graveyard to protect runners. This is not a major road.
2. EMTs will have access to any runners along the route.
3. Parking is available at the park and near the park.

Amenities

1. We can put hand sanitizers at all water stations.
2. We will have restrooms at the beginning, $\frac{3}{4}$ of a mile, and halfway (turnaround) point.
3. This route has a ton of shade throughout.

Noises

1. The only noise we will have will be the gathering crowd.
2. We have no plans for music or anything other than a megaphone.

Fires

1. No fires will purposefully be started by our event.
2. In case of an accidental fire, I will have my water stations stop all runners. I will then instruct everyone on which way they need to go.
3. Fire Department will be notified of any potential or any fires we find.

Utilities

1. We will only have vendors and a bounce house. They may have generators.
2. We don't have overhead power lines, gas lines, or gas meters in our way.
3. We will not have a stage. I will have a megaphone and the ground.
4. We are in an open area, so access to and from the awards will be no problem.
5. All Tents will be weighted down and/or staked.

Emergency Management

1. No matter whether we have 50 people or 5000. We will have three solid locations for all incidents.
 - a. The beginning of the race area.
 - b. The graveyard
 - c. Under the Bridge, where the turnaround point is.
 - d. We will have a mule or golf cart to help transport injured people.

(5f)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Tuesday, July 12, 2022 1:31 PM
To: Villarreal, Amber
Subject: RE: Festival or Event Application-Run to be Proactive

I have no concerns with this request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Tuesday, July 12, 2022 1:23 PM
To: Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>
Subject: Festival or Event Application-Run to be Proactive

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC

City Secretary

City of Waxahachie

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

www.waxahachie.com

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

From: Kye White <kyewhite@oath2015.org>
Sent: Tuesday, July 12, 2022 1:18 PM
To: Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Signed Copy Waxahachie Festival or Event

We will have the bounce house near the playground.

Respectfully,

Kye S. White (website: veteransoath.org)

(903) 851-5747

(5f)

Villarreal, Amber

From: Wade Goolsby <wgoalsby@waxahachiepd.org>
Sent: Tuesday, July 12, 2022 2:05 PM
To: Villarreal, Amber
Subject: RE: Festival or Event Application-Run to be Proactive

I don't have any issues with it.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
469-309-4411

H.E.A.R.T

Honor Ethics Accountability Respect Transparency

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Tuesday, July 12, 2022 1:23 PM
To: Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoalsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>
Subject: Festival or Event Application-Run to be Proactive

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC
City Secretary
City of Waxahachie

Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
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From: Kye White <kyewhite@oath2015.org>
Sent: Tuesday, July 12, 2022 1:18 PM
To: Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Signed Copy Waxahachie Festival or Event

(5f)

Bonner, Jami

From: Bonner, Jami
Sent: Monday, July 18, 2022 2:12 PM
To: 'Kye White'
Cc: Nicole Vasquez; Amodio, Joesph; OATH
Subject: RE: Veteran's OATH 5K
Attachments: Special Event Planning Checklist2.docx

Hi Kye,

I apologize for missing your call / email last week. Our Emergency Management Coordinator has requested a completed special event planning checklist (attached) due to the expected attendance of the event. If you have any questions, please contact Thomas Griffith. Thank you.

Thomas Griffith
City of Waxahachie
Emergency Management Coordinator

630 Farley Street
Waxahachie, Texas 75165
O: (469) 309-4417
M: (469) 550 - 3231
john.griffith@waxahachie.com

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

From: Kye White <kyewhite@oath2015.org>
Sent: Tuesday, July 12, 2022 9:12 AM
To: Bonner, Jami <jami.bonner@waxahachie.com>
Cc: Nicole Vasquez <nvfitt01@icloud.com>; Amodio, Joesph <joseph.amodio1@gmail.com>; OATH <jtcarriersllc@gmail.com>
Subject: Fwd: Veteran's OATH 5K

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

From: Kye White <kyewhite@oath2015.org>
To: "jami.bonner@waxahachie.com" <jami.bonner@waxahachie.com>
Cc: "Amodio, Joesph" <joseph.amodio1@gmail.com>, OATH <jtcarriersllc@gmail.com>, Nicole Vasquez <nvfitt01@icloud.com>
Date: 07/11/2022 4:35 PM
Subject: Veteran's OATH 5K

(5f)

Bonner, Jami

From: Martinez, Gumaro
Sent: Thursday, July 21, 2022 10:59 AM
To: Villarreal, Amber; Griffith, Thomas; Wade Goolsbey; Ricky Boyd; Mosley, Laurie; Barnes, Bradley; Campos, Yadira; Me'Lony Jordan
Cc: Scott, Michael; Bonner, Jami; Crocker, Clarice; Lawrence, Albert
Subject: RE: Festival or Event Application-Run to be Proactive

Will the "run" be around the perimeter of Getzendaner Park or actually use the Waxahachie Creek Trail?

We would be unable to provide portable restrooms along the trail. There are restrooms along the trail at Getzendaner Park, Dog Park, and Lions Park.

For the bounce houses, I would suggest meeting with Parks staff before selecting actual location to verify there are no sewer or water lines that may be hit during staking.

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 cell
gmartinez@waxahachie.com

From: Villarreal, Amber
Sent: Tuesday, July 12, 2022 1:23 PM
To: Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsbey <wgoalsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <imosley@waxahachiecvb.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>
Subject: Festival or Event Application-Run to be Proactive

For your review/comments.

Thank you,

Amber Villarreal, TRMC, CMC
City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
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(5f)

Bonner, Jami

From: Griffith, Thomas
Sent: Wednesday, August 3, 2022 3:21 PM
To: Bonner, Jami; Villarreal, Amber
Subject: FW: Resending both attachments
Attachments: Checklist broken down.pdf; Special Event Planning for Getzendaner National Park 5K.pdf

Here is the Safety Plan for the "Run to be Proactive" event. It looks good, I have no other comments

Thomas

From: Kye White <kyewhite@oath2015.org>
Sent: Wednesday, August 3, 2022 2:59 PM
To: Griffith, Thomas <john.griffith@waxahachie.com>
Cc: Nicole Vasquez <nvfitt01@icloud.com>; Amodio, Joesph <joseph.amodio1@gmail.com>; OATH <jtcarriersllc@gmail.com>; Jamie Stratton <jstratton11@gmail.com>
Subject: Resending both attachments

I cc'ed my team with this updated Special Events list.

Respectfully,

Kye S. White (website: veteransoath.org)

(903) 851-5747

OATH (*We're Family Taking Care of Family*)

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(5f)

Bonner, Jami

From: Martinez, Gumaro
Sent: Wednesday, August 3, 2022 3:45 PM
To: Bonner, Jami
Subject: RE: Festival or Event Application-Run to be Proactive

Thanks Jami yes that is fine. Also as for the bounce houses we are asking them not to be staked but rather sandbagged. No further issues with this event.

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

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

From: "Bonner, Jami" <jami.bonner@waxahachie.com>
Date: 8/3/22 2:48 PM (GMT-06:00)
To: "Martinez, Gumaro" <gmartinez@waxahachie.com>
Subject: RE: Festival or Event Application-Run to be Proactive

Hi Gumaro,

The applicant gave the following response in regards to the "run" location. Please let me know if this satisfies your request for clarification.

Sorry, I was out of town for a bit. Getzendaner Park as miles markers through the park or on the edge is what we will use.

From: Martinez, Gumaro <gmartinez@waxahachie.com>
Sent: Thursday, July 21, 2022 10:59 AM
To: Villarreal, Amber <avillarreal@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>
Subject: RE: Festival or Event Application-Run to be Proactive

Will the "run" be around the perimeter of Getzendaner Park or actually use the Waxahachie Creek Trail?

We would be unable to provide portable restrooms along the trail. There are restrooms along the trail at Getzendaner Park, Dog Park, and Lions Park.

For the bounce houses, I would suggest meeting with Parks staff before selecting actual location to verify there are no sewer or water lines that may be hit during staking.

Gumaro Martinez
City of Waxahachie

(5f7)

Bonner, Jami

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Monday, August 8, 2022 9:33 AM
To: Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Dale Sigler
Cc: Villarreal, Amber; Crocker, Clarice; Scott, Michael; Lawrence, Albert
Subject: RE: Updated Special Event

I don't have any issues with this.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
469-309-4411

H.E.A.R.T

Honor Ethics Accountability Respect Transparency

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Wednesday, August 3, 2022 3:43 PM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>
Cc: Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>
Subject: FW: Updated Special Event

Good afternoon,

The applicant for "Run to be Proactive" event has added to their requested resources after speaking with Thomas in regards to their safety plan. Please see attached "Checklist broken down" and provide any feedback you may have.

I have notified the applicant that we are unable to provide portable toilets. I have shared Brad Barnes' contact information with the applicant and asked that he reach out to discuss bounce house and vendor location.

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

From: Kye White <kyewhite@oath2015.org>
Sent: Wednesday, August 3, 2022 3:05 PM



(59)

Date submitted 7/30/22

Applicant Information

Applicant name: Luke Smolka

Are you representing the host organization? Yes No

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

Phone: 2149490293 Cell: 2149490293

Email: luke@smolka.net

Mailing address: 821 Williams St.

Host organization name: Nights of Columbus 8417

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

On-site contact name: Hugh Reynolds Cell: 2146868774

About the Event

Event name: Hike for Life 2022

Location: Brown/Singleton Park

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

Anticipated attendance: 110

Description of event: Funraising walk/activities

How many times has this event been hosted before?

1st time 2 – 4 times 5 or more times Location: Getzendaner Park

Choose the best description of the event:

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



(59)

Event activities include (check all that apply):

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

The event is:

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

Admission information, if applicable:

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

Donations

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	10/22/22	8:00am	2:00pm
Event Set-up	10/22/22	7:00am	8:00am
Event Breakdown	10/22/22	2:00pm	3:00pm

Run / Walk:

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

_____ 1 mile _____ 5K _____ Other distance

Please indicate your expected attendance: 110

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



(59)

Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

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

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

Police / Security Services:

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

Event staff How many: 30 Date(s) & time(s): 10/22/22

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

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

Company name: _____

Contact name and number: _____

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

Have you made arrangements with the police? Yes No

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

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

Contact name: _____ Phone number: _____

Street Closures:

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

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

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

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

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

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

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up? _____



City of Waxahachie
City Secretary's Office

Special Event Application

(59)

When will the traffic equipment be set-up?

Date: _____ Time: _____

When will the traffic equipment be removed?

Date: _____ Time: _____

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

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

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

City Of Waxahachie Pavillion

Explain services in detail:

Pavillion

Insurance

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

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

Hold Harmless Clause

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

Luke T. Smolka

7/30/2022

Signature

Date

Contract Agreement

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

Luke T. Smolka

7/30/2022

Signature

Date

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



(59)

(5g)

Bonner, Jami

From: Bonner, Jami
Sent: Monday, August 1, 2022 9:20 AM
To: Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Me'Lony Jordan; Griffith, Thomas; Wade Goolsbey; Ricky Boyd; Brooks, Shon; Warren, Anthony
Cc: Lawrence, Albert; Scott, Michael; Crocker, Clarice; Villarreal, Amber
Subject: Event Application - Hike for Life 2022
Attachments: EA2022.10.22 Hike for Life.pdf

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

(59)

Bonner, Jami

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Monday, August 1, 2022 9:32 AM
To: Bonner, Jami
Subject: Re: Event Application - Hike for Life 2022
Attachments: EA2022.10.22 Hike for Life.pdf

I have no concerns with this request.

Sent from my iPhone

On Aug 1, 2022, at 09:20, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

For your review / comments. Thank you.

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

(59)

Bonner, Jami

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Monday, August 1, 2022 2:04 PM
To: Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Me'Lony Jordan; Griffith, Thomas; Ricky Boyd; Brooks, Shon; Warren, Anthony
Cc: Lawrence, Albert; Scott, Michael; Crocker, Clarice; Villarreal, Amber
Subject: RE: Event Application - Hike for Life 2022

I don't have any issues with it.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
469-309-4411

H.E.A.R.T

Honor Ethics Accountability Respect Transparency

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Monday, August 1, 2022 9:20 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <mscott@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Event Application - Hike for Life 2022

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

(59)

Bonner, Jami

From: Martinez, Gumaro
Sent: Monday, August 8, 2022 9:12 AM
To: Bonner, Jami; Barnes, Bradley; Campos, Yadira
Subject: RE: Event Application - Hike for Life 2022

No issues or concerns with this event.

I would recommend ordering some additional portable restrooms for that weekend.

Gumaro Martinez
City of Waxahachie
Executive Director of Parks & Leisure Services
401 S. Elm
Waxahachie, TX 75165
469.309.4271 direct
214.903.3676 cell
gmartinez@waxahachie.com

From: Bonner, Jami
Sent: Monday, August 8, 2022 8:29 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>
Subject: FW: Event Application - Hike for Life 2022

Good morning,

Please review the attached event application and let me know if you have any questions or comments. Thank you.

From: Bonner, Jami <>
Sent: Monday, August 1, 2022 9:20 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Me'Lony Jordan <mjordan@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Brooks, Shon <sbrooks@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <mScott@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Event Application - Hike for Life 2022

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

(5h)



Memorandum

To: Honorable Mayor and City Council
From: David Bailey, Senior Director of Utilities
Thru: Michael Scott, City Manager 
Date: August 15, 2022
Re: Water and Wastewater Treatment Chemicals Bid Award

Item Description: On Monday, August 15, 2022 an item will appear before the City Council for consideration for a bid award for water and wastewater treatment chemicals. Sealed bids were received and opened on July 21, 2022 and staff recommends awarding the lowest qualified responsive bidders for each chemical. These chemicals are used at the Wastewater Treatment Plant and also the Howard Road and Robert W. Sokoll Water Treatment Plant.

Item Summary: There were various chemicals advertised for bid that are not currently under contract. Befour Chemicals LLC. submitted the lowest qualified bid for PRAESTOL K-279 FLX Polymer. Polydyne Inc. submitted the lowest qualified bid for CLARIFLOC C-6265 Polymer. Pencco Inc. submitted the lowest qualified bid for Hydrofluorosilicic Acid (Fluoride).

Fiscal Impact: The contract period for the bid award would be through September 30, 2023. There is an option in the contract terms for one (1) additional one-year period at the city's sole discretion. The proposed FY 2022-2023 operating budget has funds budgeted to cover the costs of these bid awards. Staff recommends awarding the bids to Befour Chemicals, LLC, Polydyne, Inc. and Pencco, Inc.

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Memorandum

To: Honorable Mayor and City Council
 From: Gumaro Martinez, Executive Director Parks & Leisure Services
 Thru: Michael Scott, City Manager
 Date: August 15, 2022
 Re: Supplemental Appropriation for Insurance Reimbursement to the Parks Department Budget in the amount of \$29,152.48

Item Description: Consider approving a supplemental appropriation to the Parks Department FY2022 budget in the amount of \$29,152.48 for an insurance reimbursement related to the Ellis County Woman’s Building roof replacement.

Item Summary: The Ellis County Woman’s Building grounds maintenance falls under the purview of the Parks Department and often during the year routine maintenance items are paid from the Parks Department budget. Although normally not material to warrant supplemental appropriations, the Ellis County Woman’s Building recently incurred some damage to their roof and it was determined by a TML insurance adjuster that the damages qualified it for complete replacement. A claim was filed and the City of Waxahachie received \$29,152.48 to cover the roof replacement. The insurance deductible of \$2,500 will be paid through the Ellis County Woman’s Building Board, but the remaining balance will be paid through the Parks Department.

Fiscal Impact: Staff is requesting a supplemental appropriation to the Parks Budget, account 100-510-54310 Maintenance, Building (Upkeep) in the amount of \$29,152.48 to cover the roof replacement cost. The insurance company has paid the insurance claim to the City and this supplemental appropriation essentially gets those dollars into the Parks Department budget.



(5j)

Memorandum

To: Honorable Mayor and City Council

From: Richard B. Abernethy, Director of Administrative Services

Thru: Michael Scott, City Manager

Date: August 15, 2022

Re: Consider Resolution to Approve a Negotiated Settlement Between the Atmos Cities Steering Committee and the Atmos Energy Corp., Mid-Tex Division

Item Description: Consider resolution to approve a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and the Atmos Energy Corp., Mid-Tex Division (Atmos) regarding the company's 2022 rate review mechanism filing.

Item Summary: Waxahachie, along with 181 other Mid-Texas cities served by Atmos, is a member of the ACSC. On or about April 1, 2022, Atmos filed a rate request pursuant to the as Rate Review Mechanism (RRM) Tariff adopted by ACSC members. Atmos claimed that its cost-of-service in a test year ending December 31, 2021, entitled it to additional system-wide revenues of \$141.3 million. Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million. The amount of the \$22.34 million deficiency applicable to ACSC members would be \$16.8 million.

After Atmos reviewed ACSC's consultants' report, ACSC's Executive Committee and Atmos negotiated a settlement of \$115 million. The effective date for the news rates will be October 1, 2022. The negotiated settlement will result in savings to ASCS Cities.

(5j)

The average Atmos residential customer will see an increase in their monthly bill of about 6.7% (\$4.60) and commercial customers will see an average increase of about 4.3% (\$14.34).

Fiscal Impact: The City of Waxahachie is already a member of the ACSC and there were no additional costs associated with hiring of legal services or consultants to conduct the negotiations on behalf of the ACSC. All legal expenses associated with this negotiation must be paid by Atmos.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the City of Waxahachie, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the

(5j)

RESOLUTION NO. _____

Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos Mid-Tex filed its 2022 RRM rate request with ACSC Cities based on a test year ending December 31, 2021; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2022 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$115 million on a system-wide basis with an Effective Date of October 1, 2022; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

(5j)

RESOLUTION NO. _____

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

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$115 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2022 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$115 on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2022 RRM filing.

RESOLUTION NO. _____

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 8. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2022.

Section 11. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

(5)

RESOLUTION NO. _____

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
____WAXAHACHIE_____, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE
____15th____ DAY OF ____August____, 2022.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

(6)

PROCLAMATION

WHEREAS, Martin Van Davis will be honored by friends and relatives on August 20, 2022 in celebration of his upcoming 100th birthday on August 23, 2022; and

WHEREAS, Martin Van Davis was born in Waxahachie, Texas on August 23, 1922; and

WHEREAS, Martin Van Davis graduated from Oak Lawn High School in 1939 at the age of 16 and went on to receive his Master's Degree in Music Education from Texas Christian University, Fort Worth, Texas; and worked as a Teacher and Band Director for the Waxahachie Independent School District until his retirement in 1979; and

WHEREAS, Martin Van Davis married Blynthia Lanorris Hunter on July 21, 1951 and they remained happily married for 69 years until Blynthia's death. They were blessed with one son, Martin Van Buren Davis, Jr; and

WHEREAS, Martin Van Davis was an accomplished musician who performed professionally, following retirement he used his creative skills to build wooden, leather and mechanical objects which he sold and gifted locally; and

WHEREAS, Martin Van Davis served his country with valor in the United States Army during World War II and has lived during the most eventful century of this nation's history, being a model and inspiration to his family and to those who have known him; and

WHEREAS, Martin Van Davis continues to be a dedicated member of Joshua Chapel A.M.E. Church in Waxahachie;

NOW, THEREFORE, be it resolved that I, David Hill, Mayor of the City of Waxahachie, along with the entire City Council do hereby proclaim August 23, 2022 as

“MARTIN VAN BUREN DAVIS, SR. DAY”

in the city of Waxahachie, Texas. Further, I hereby extend my best wishes to Martin and encourage his family, friends, and all citizens of Waxahachie to do the same.

Proclaimed this 15th day of August, 2022.

MAYOR

ATTEST:

CITY SECRETARY

Planning & Zoning Department Plat Staff Report



Case: SUB-58-2022

MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 9, 2022, the Commission voted 6-0 to recommend approval of the case number SUB-58-2022, as recommended by Staff.

CAPTION

Public Hearing on a request by Clint Rhodes, for a **Plat** of Rhodes Addition, being 1.00 acres, located at 2407 Howard Rd., situated in the Silas M. Durett Survey, A-272, an addition in the City of Waxahachie. (Property ID 182086) – Owner: Masterpiece Properties, LLC (SUB-58-2022)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into one (1) lot for single-family residential use.

CASE INFORMATION

<i>Applicant:</i>	Clint Rhodes
<i>Property Owner(s):</i>	Masterpiece Properties, LLC
<i>Site Acreage:</i>	1.00
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 Dwelling Unit
<i>Park Land Dedication:</i>	The cash in lieu of park land fee is estimated to be \$400.00 (1 residential dwelling at \$400/dwelling).
<i>Adequate Public Facilities:</i>	Adequate public utilities are provided to the property.

SUBJECT PROPERTY

<i>General Location:</i>	2407 Howard Rd.
<i>Parcel ID Number(s):</i>	182086
<i>Current Zoning:</i>	Single-Family Residential – 1 (SF-1)
<i>Existing Use:</i>	The subject property use is residential.

Platting History:

The subject property is currently part of the Silas M. Durett Survey, A-272.

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to Plat Rhodes Addition, 1 residential lot, being 1.00 acres. All City of Waxahachie lot size and dimension requirements have been met. As part of the platting process, the applicant is providing a 5' ROW dedication, to comply with the City Thoroughfare plan. The subject property was part of a larger tract, which resulted in a split zoning of Future Development (FD) and Single-Family-1 (SF-1). The applicant is requesting to plat the portion that is zoned SF-1. The remaining portion of the parent parcel will remain unplatted at this time.

VARIANCE REQUEST – PETITION FOR RELIEF WAIVER

Request:

As part of the platting process, the applicant is required to meet all minimum setbacks. The applicant has made a Petition for Relief Waiver request for the 40' Front Building Line setback. The applicant is requesting a 25' Front Building Line setback. The applicant is requesting this variance due to the existing structure encroaching into the required 40' Front Building Line setback.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 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

As of the date of this staff report, no letters of opposition or support have been received.

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.

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

- 1. Plat

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

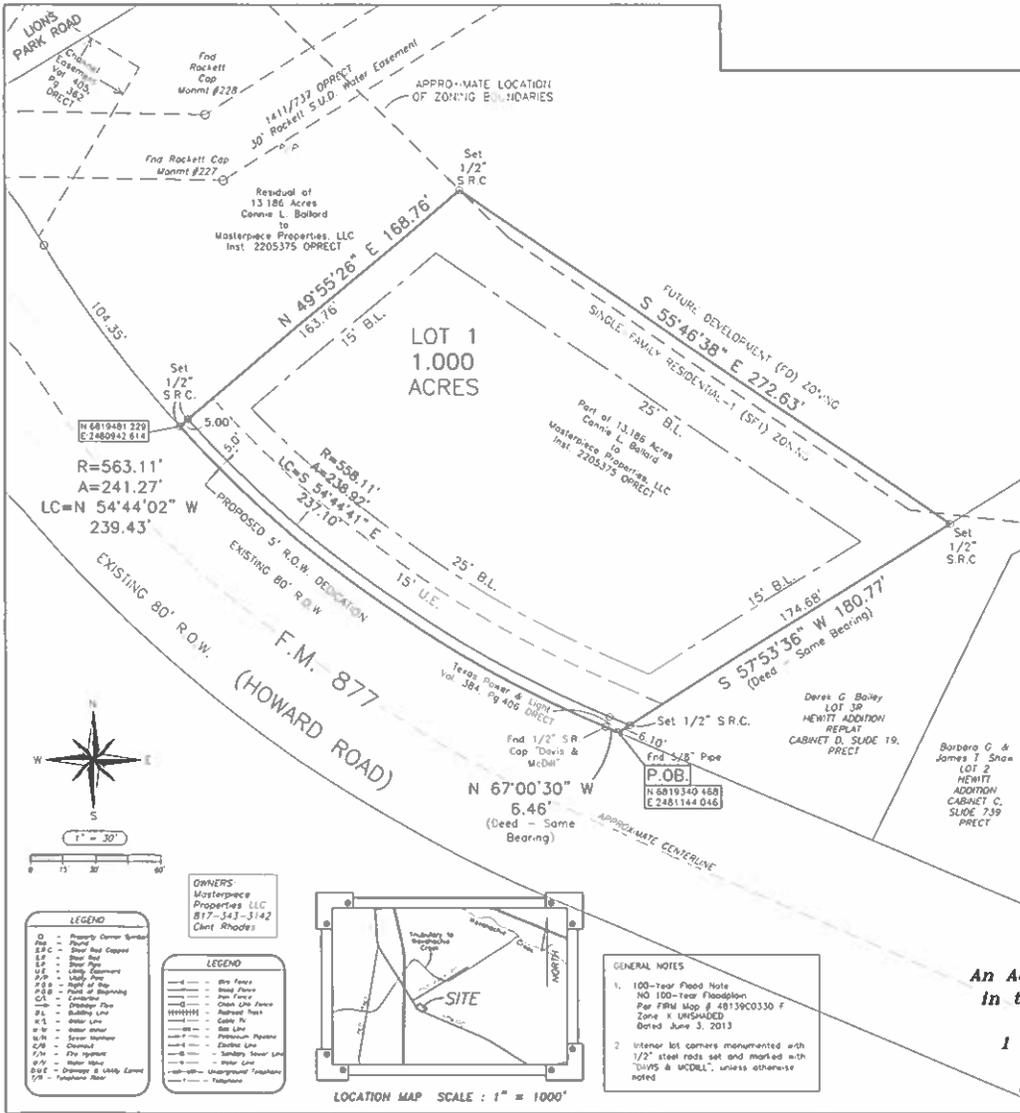
- 1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
- 2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
 Ashlie Jones
 Senior Planner
ashlie.jones@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com

(17)



STATE OF TEXAS
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS
ENDREAS J. Clint Rhodes, on the owner of that tract of land situated in the
SILAS M. DURETT SURVEY, ABSTRACT NO. 272, in the City of Waxahachie in Ellis
County, Texas, hereinafter described.

FIELD NOTES
1.000 ACRES

BEING a part of the Silas M. Durett Survey, Abstract Number 272, in the
City of Waxahachie, in Ellis County, Texas, and being a portion of a ceded
13.186 acres tract of land described in deed from Converse L. Ballard to
Mystere Properties, LLC, recorded as Instrument Number 2205375, Official
Public Records, Ellis County, Texas (OPRE1), and being more particularly
described as follows:

BEARING of a 5/8" steel rod found in the northeast line of F.M. Highway
877 (Howard Road) for the south corner of said 13.186 acres tract and
being the east corner of Lot 38, Hewitt Addition, an addition to the City of
Waxahachie, Ellis County, Texas, according to the plat thereof recorded in
Cabinet D, Slide 19, Plat Records, Ellis County, Texas (PRECE1).

THENCE N 47°00'30" W, with the southeast line of said 13.186 acres tract
and with the northeast line of F.M. Highway 877, a distance of 8.48 feet
the beginning of a curve to the right, having a radius of 563.11 feet a 1/2
inch steel rod, with plastic cap stamped "DAVIS & McDILL" found.

THENCE NORTHWESTERLY with the westerly line of said 13.186 acres tract, said
F.M. Highway 877 easterly right of way line and the arc of said curve
through a central angle of 24°32'55" and having a chord bearing and
distance of N 54°44'02" W, 239.43 feet for an arc length of 241.27 feet to
a 1/2 inch steel rod, with plastic cap stamped "DAVIS & McDILL" found.

THENCE N 49°55'26" E, on said 13.186 acres tract, 163.57 feet to a
1/2 inch steel rod, with plastic cap stamped "DAVIS & McDILL" found.

THENCE S 54°46'38" E, 271.84 feet to the southeast line of said 13.186
acres tract, and in the northeast line of said Lot 38, Hewitt Addition, a 1/2
inch steel rod, with plastic cap stamped "DAVIS & McDILL" found.

THENCE S 57°53'36" W, with the southeast line of said 13.186 acres tract
and the northeast line of said Lot 38, Hewitt Addition, 175.11 feet to the
POINT OF BEGINNING, and containing approximately 1.029 acre of land of
which 0.029 acre is dedicated for a 5-foot right of way along said F.M.
Highway. The bearings recited herein are based on the Texas Coordinate
System of 1983, Texas North Central Zone per GPS observations.

SURVEYOR'S CERTIFICATE
This is to certify that I, Stuart G. Hamilton, a Registered Public Land
Surveyor of the State of Texas, have plotted the subdivision hereon
from an actual survey on the ground and that all lot corners, angle
points, and points of curve have been properly marked on the ground,
and that this plat correctly represents that survey made by me.

"Provisional. This document shall not be recorded for any reason."
Stuart G. Hamilton Date
Registered Professional Land Surveyor
Number 4480

THIS SURVEY IS VALID ONLY WITH
ORIGINAL SIGNATURE IN RED INK

Barbara G. &
James T. Shea
LOT 2
HEWITT
ADDITION
CABINET C,
SLIDE 739
PRECE1

Derek G. Bailey
LOT 38
HEWITT ADDITION
REPLAT
CABINET D, SLIDE 19,
PRECE1

**PLAT
RHODES ADDITION
1.000 ACRES
An Addition to the City of Waxahachie
in the Silas M. Durett Survey, A-272
Ellis County, Texas
1 Single Family Residential Lot
Zoning: SF-1
Case Number: SUB-58-2022**

Revisions By

Date 7/18/2022
Scale 1" = 30'
Drawn D. McDILL
Job 221-0151FP
Sheet 1
of 2 sheets.

Davis & McDill LLC

SURVEYING, LAND PLANNING, & LOGGING MANAGEMENT
P.O. BOX 1808 WAXAHACHIE, TEXAS 76790
PHONE: 972-938-1185
A Texas licensed surveying firm # 101948481

D&M

(1)

OWNER'S CERTIFICATE

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT I, Clint Rhodes, acting as the duly authorized officer of MASTERPEACE PROPERTIES, LLC, do hereby deed this plot designating the herein above described property as RHODES ADDITION, an addition to the City of Waxahachie, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown hereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed on Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, pot-holing, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

This plat approved subject to all plotting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the _____ day of _____, 20____.

By: **"Preliminary, this document shall not be recorded for any purpose."**

Clint Rhodes, Owner

Printed Name

STATE OF TEXAS §
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Clint Rhodes, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.
"Preliminary, this document shall not be recorded for any purpose."

Notary _____ My Commission Expires (M)

WITNESS, my hand, this the _____ day of _____, 20____.

STATE OF TEXAS
COUNTY OF ELLIS

APPROVED BY Planning and Zoning Commission City of Waxahachie

By: **"Preliminary, this document shall not be recorded for any purpose."**
_____, _____
Chairperson Date

STATE OF TEXAS
COUNTY OF ELLIS

APPROVED BY City Council City of Waxahachie

By: **"Preliminary, this document shall not be recorded for any purpose."**
_____, _____
Mayor Date

ATTEST: _____
Date

NOTE: PROPERTY IS IN THE JURISDICTION OF THE CITY OF WAXAHACHIE, TEXAS AND IS SUBJECT TO THEIR PLANNING POLICY AND REGULATIONS.

OWNER'S
Masterpeace
Properties LLC
811-343-3342
Clint Rhodes

DRAINAGE NOTES

- (1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- (2) THE EXISTING CREEK OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOTS OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- (3) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE BAYS OR FOR THE CONTROL OF EROSION.
- (4) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

SURVEYOR'S CERTIFICATE

This is to certify that I, Stuart G. Hamilton, a Registered Public Land Surveyor of the State of Texas, have plotted the subdivision hereon from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

"Preliminary, this document shall not be recorded for any purpose."

Stuart G. Hamilton Date
Registered Professional Land Surveyor
Number 4460

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK

LEGEND

- DP - Property Corner Symbol
- FP - Faint
- SP - Stone Not Located
- SA - Stone Not
- SP - Stone Pipe
- SL - Utility Easement
- SP - Utility Pipe
- SP - Right of Way
- SP - Part of Boundary
- CS - Contour
- SP - Easement Pipe
- SL - Building Line
- SL - Water Line
- SL - Water Meter
- SL - Sewer Manhole
- CP - Channel
- FL - Fire Hydrant
- SL - Water Meter
- SP - Drainage or Utility Easement
- SP - Unmarked Area

LEGEND

- - Iron Fence
- - Steel Fence
- - Iron Fence
- - Chain Link Fence
- - Asphalt Driveway
- - Color 10
- - Red Line
- - Precision Square
- - Center Line
- - Boundary Survey Line
- - Water Line
- - Telephone

PLAT
RHODES ADDITION
1.000 ACRES
 An Addition to the City of Waxahachie
 in the S.M. Durett Survey, A-272
 Ellis County, Texas
 1 Single Family Residential Lot
 Zoning: SF-1
 Case Number: SUB-58-2022

Revisions	By

Davis & McDill LLC



Date: 7/18/2022
 Scale: N/A
 Drawn: D. McDill
 Job: 221-0151
 Sheet: 2
 of 2 sheets

PLANNING - LAND PLANNING - FLOODPLAIN MANAGEMENT
 P.O. BOX 428 WAXAHACHIE, TEXAS 75188
 PHONE 972-932-1100
 A Texas licensed surveying firm # 1018488

(9)

Planning & Zoning Department

Zoning Staff Report

Case: SP-55-2022



MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022
City Council: August 15, 2022

CAPTION

Consider request by Chris Muder, REES Associates Inc., for a detailed **Site Plan** Review for the Villages of Country Lane, an Assisted & Senior Living use within a Planned Development-90 (Office) zoning district at 110 Park Hills Drive (Property ID: 241956) – Owner: Bridgeview Realty Capital LLC

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 9, 2022, the Commission voted 6-0 to recommend approval of SP-55-2022 with Elevation Option 2.

APPLICANT REQUEST

The applicant is requesting Site Plan approval to construct a two-story assisted & senior living facility on 5.215 acres at 110 Park Hills Drive.

CASE INFORMATION

Applicant: Chris Muder, REES Associates Inc.
Property Owner(s): Bridgeview Realty Capital LLC
Site Acreage: 5.215 acres
Current Zoning: Planned Development-90 (Office) (Ord. 2404 & 2696)

SUBJECT PROPERTY

General Location: 110 Park Hills Drive
Parcel ID Number(s): 241956
Existing Use: The subject property is currently undeveloped.
Development History: The subject property is platted as Lot 2R, Block B of the Country Lane Addition.

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	Planned Development-90 (Two-Family)	Undeveloped
East	Planned Development-90 (Two-Family)	Undeveloped & Duplexes
South	Planned Development-90 (Office)	Waxahachie Senior Center
West	Light Industrial-1 with a SUP for Storage	Lawn Master Outdoor Living

Future Land Use Plan: Mixed Use Non-Residential

Comprehensive Plan:

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

Comprehensive Plan:

The subject property is accessible via US Highway 77 to the West, Maple Wood Drive to the North, and Park Hills Drive to the East.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is proposing to construct a two-story, 79,346 square foot assisted & senior living facility on 5.215 acres at 110 Park Hills Drive, in conformance with the property's Planned Development zoning.

Proposed Use:

The proposed development includes 78 dwelling units for independent senior living, 59 assisted living beds, and 28 memory care beds. The mix of unit types is intended to both adhere to the zoning for the property and allow residents to age in place at the facility. The proposed facility includes 4 outdoor courtyards and a pool for residents. Additionally, on site amenities including a restaurant, fitness center, yoga studio, theater, game room, dog park, solons, and activity spaces are proposed with the facility.

Staff would like to note that the western portion of the property, along Highway 77, is covered by an 80-foot TXU electric easement. No structures or landscaping is allowed to be placed within this easement; however, the applicant has received permission from Oncor to place a dog park and additional parking spaces within the easement. Despite the challenges posed by the electric easement, the proposed parking, landscaping, and signage for the development adheres to the requirements of the City of Waxahachie Zoning Ordinance. The applicant is proposing to provide a sidewalks easement along Highway 77 in order to provide sidewalks that comply with City of Waxahachie requirements.

Proposed Use (continued):

The applicant has provided two (2) exterior elevation options for the proposed development. Both options feature natural stone and stucco as the primary materials, with siding and board & batten accents. Rooftop AC units are proposed to be located in roof wells as shown on the Roof Plan below. The type of stone and color of these materials vary between the two proposed options.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

RECOMMENDATION

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

- Denial
- Approval, as presented.

ATTACHED EXHIBITS

1. Location Map – Exhibit A
2. Site Plan – Exhibit B
3. Landscape Plan – Exhibit C
4. Floor Plan – Exhibit D
5. Roof Plan – Exhibit E
6. Elevations (Option 1 & 2) – Exhibit F
7. Dumpster Enclosure – Exhibit G

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can submit Civil Construction plans to the Public Works & Engineering Department and apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Zack King
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

Exhibit A - Location Map

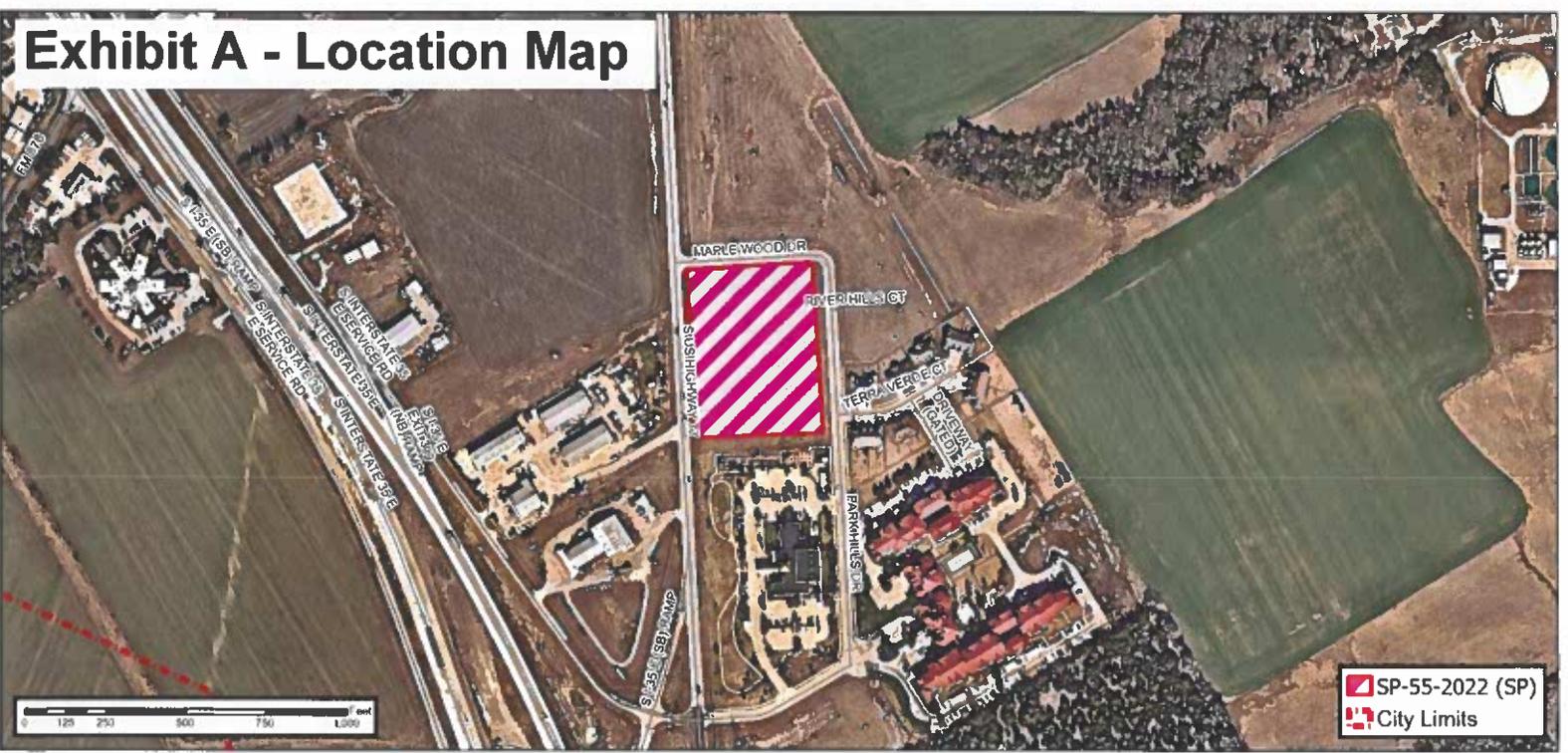
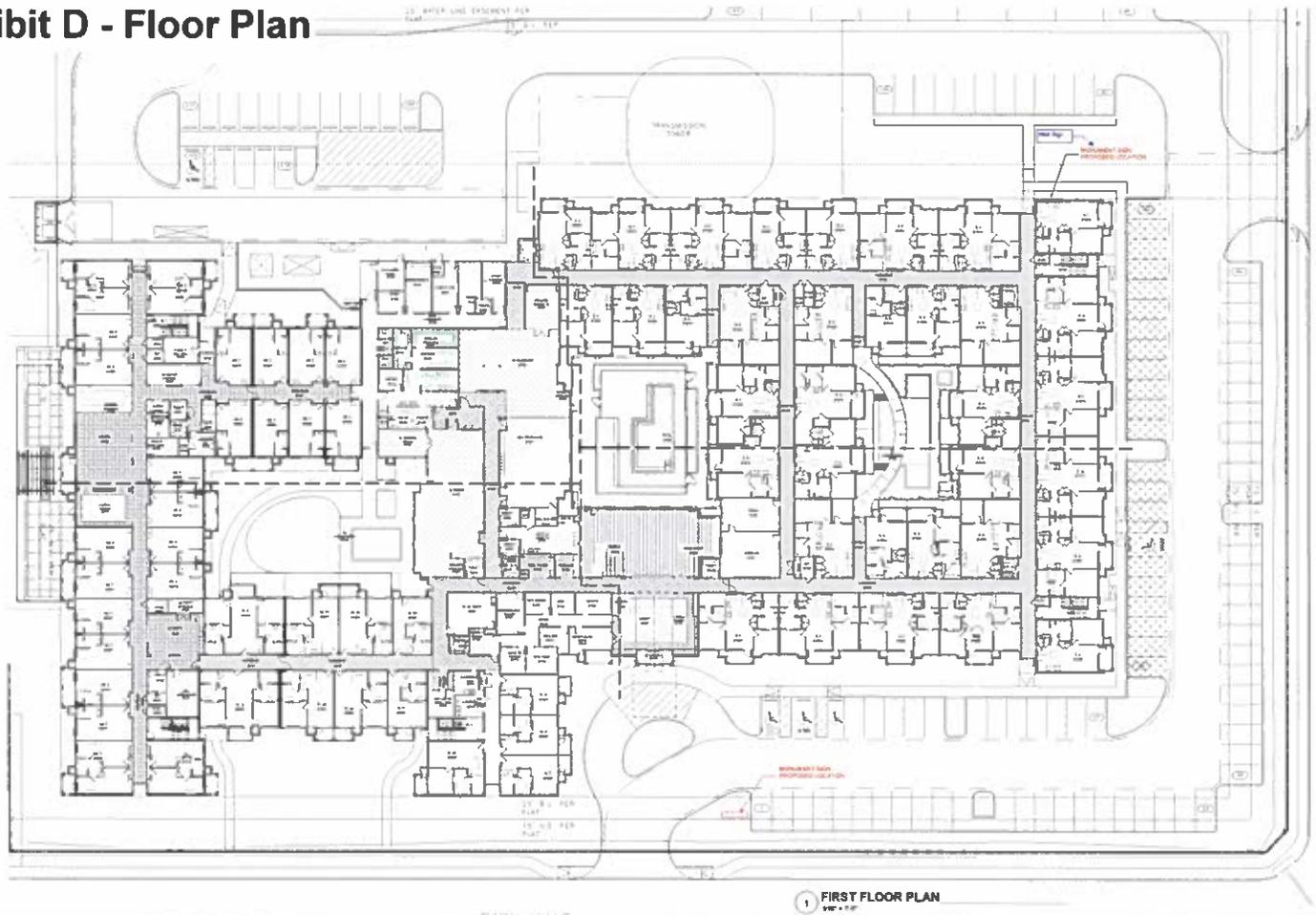


Exhibit D - Floor Plan



MARS VILLAGES OF COUNTRY LANE

WAXAHACHE, TX 08/16/22

REES
ARCHITECTURE PLANNING INTERIOR DESIGN

(9)

Exhibit D - Floor Plan



1 SECOND FLOOR PLAN
REV. 1/17

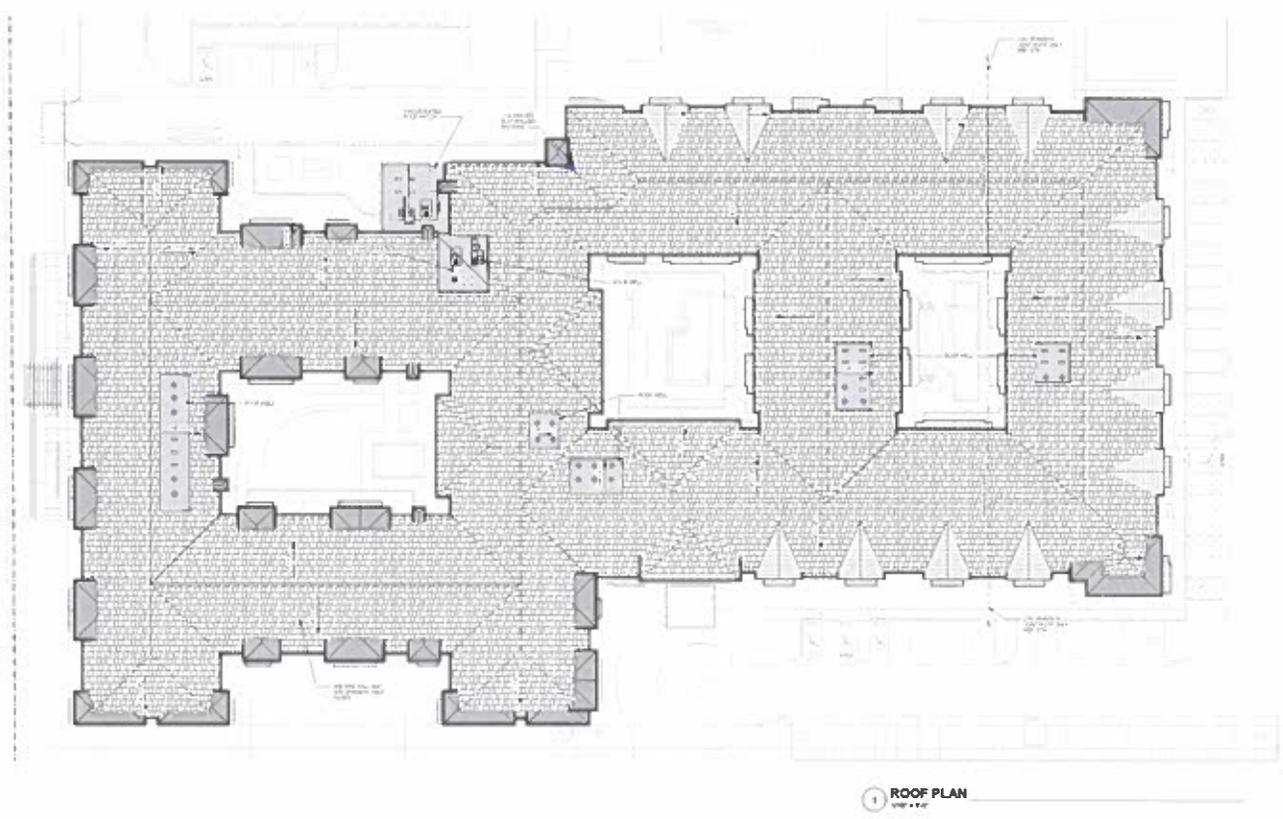
MARS VILLAGES OF COUNTRY LANE

WAXAHACHIE, TX 0616/22

REES
ARCHITECTURE PLANNING INTERIOR DESIGN
© 2017

(9)

Exhibit E - Roof Plan



MARS VILLAGES OF COUNTRY LANE

WAXAHACHIE, TX 06/16/22



Exhibit F - Elevations



- NATURAL STONE
ANTIQUÉ BARK COLOR
- STANDING SEAM METAL ROOF
ZINC GRAY COLOR
- NATURAL STONE
ANTIQUÉ BARK COLOR
- BOARD & BATTEN
GRAY CHARCOAL COLOR
- STUCCO
PPG1001
DELICATE WHITE COLOR

EAST PERSPECTIVE VIEW INDEPENDENT LIVING



- NATURAL STONE
ANTIQUÉ BARK COLOR
- ASPHALT SINGLE ROOF
GRAY COLOR
- STANDING SEAM METAL ROOF
ZINC GRAY COLOR
- NATURAL STONE
ANTIQUÉ BARK COLOR
- FC LAP SIDING
PPG 1025-2
COMMERCIAL WHITE COLOR
- BOARD & BATTEN
GRAY CHARCOAL COLOR
- STUCCO
PPG1001
DELICATE WHITE COLOR

NORTH ELEVATION VIEW INDEPENDENT LIVING

Exhibit F - Elevations



- NATURAL STONE
GERMAN CHOCOLATE SAWN
- STANDING SEAM METAL ROOF
ZINK GRAY COLOR
- NATURAL STONE
GERMAN CHOCOLATE SAWN
- BOARD & BATTEN
GRAY CHARCOAL COLOR
- STUCCO
PPG 1025-2
COMMERCIAL WHITE COLOR

EAST PERSPECTIVE VIEW INDEPENDENT LIVING



- NATURAL STONE
GERMAN CHOCOLATE SAWN
- STANDING SEAM METAL ROOF
ZINK GRAY COLOR
- STANDING SEAM METAL ROOF
ZINK GRAY COLOR
- NATURAL STONE
GERMAN CHOCOLATE SAWN
- FC LAP SIDING
WOOD LIKE SERIES
- BOARD & BATTEN
GRAY CHARCOAL COLOR
- STUCCO
PPG1007-2
SWIRLING SMOKE COLOR

NORTH ELEVATION VIEW INDEPENDENT LIVING

(a)

Exhibit F - Elevations



1 WEST ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION 2
1/4" = 1'-0"



3 WEST A1 ELEVATION
1/4" = 1'-0"

REES

ARCHITECTURAL FIRM

Rees
Architectural Firm, LLC
 1000 West 10th Street, Suite 100
 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Construction Management
 1000 West 10th Street, Suite 100
 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Civil Engineer
 1000 West 10th Street, Suite 100
 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Landscaping Services
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 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Structural Engineer
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 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Mechanical, Electrical, & Plumbing Engineer
 1000 West 10th Street, Suite 100
 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Fire Protection Engineer
 1000 West 10th Street, Suite 100
 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Energy Modeling
 1000 West 10th Street, Suite 100
 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

Food Service
 1000 West 10th Street, Suite 100
 Irving, TX 75039
 Phone: 972.261.1111
 Fax: 972.261.1112
 Website: www.reesarchitect.com

STATE OF TEXAS
COUNTY OF TARRANT



NOT FOR CONSTRUCTION OR REGULATORY REVIEW

CONSTRUCTION DOCUMENTS
 EXTERIOR ELEVATIONS

A-202

DATE: 04.18.2018

STATE OF TEXAS
COUNTY OF TARRANT

(9)

Exhibit F - Elevations

REES

Architectural Firm

1000 N. ...

Project: ...

Company: ...

Chief Architect: ...

Architectural Firm: ...

Structural Engineer: ...

Electrical Engineer: ...

Mechanical Engineer: ...

Interior Designer: ...

Land Survey: ...

Pool Contractor: ...



MADE VILLAGES OF
COUNTY LINE

WALSHACH, FL



CONSTRUCTION
DOCUMENTS

EXTERIOR
ELEVATIONS

A-204
JUNE 15, 2021

4/19/2021 11:11 AM C:\Users\... \Documents\2021\06\15\A-204 - exterior elevations.dwg

(10)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-47-2022

MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 9, 2022, the Commission voted 6-0 to recommend approval of case number ZDC-47-2022.

CAPTION

Public Hearing on a request by Michelle Kucaba, Interplan, LLC, for a Specific Use Permit (SUP) for a Restaurant with a Drive-Through use within a Planned Development-General Retail (PD-GR) zoning district located at 996 W Highway 287 (Property ID 142134) - Owner: Chick-fil-A Inc. (ZDC-47-2022)

APPLICANT REQUEST

The Applicant requests a specific use permit to modify the drive-through circulation and configuration for the existing Chick-fil-A located at 996 W Highway 287. The Applicant is not proposing any changes to the building.

CASE INFORMATION

<i>Applicant:</i>	Michelle Kucaba, Interplan, LLC
<i>Property Owner(s):</i>	Chick-fil-A Inc.
<i>Site Acreage:</i>	1.66 acres
<i>Current Zoning:</i>	PD-GR – Planned Development – General Retail
<i>Requested Zoning:</i>	PD-GR with a specific use permit (SUP) for a restaurant with a drive-through

SUBJECT PROPERTY

<i>General Location:</i>	996 W Highway 287
<i>Parcel ID Number(s):</i>	142134
<i>Existing Use:</i>	Chick-fil-A
<i>Development History:</i>	A SUP (ZA2016-64) for a restaurant with a drive-through was approved in 2016. The subject property was platted in its current configuration in 2003.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	Target
East	PD-GR	Johnny Cariños
South	PD-GR	Wal-Mart
West	PD-GR	Chili's Grill and Bar

Future Land Use Plan:

Retail

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property has frontage along US Highway 287 and cross access to US Highway 77, which is classified as a Major Thoroughfare (Type A - 120').

Site Image:



PLANNING ANALYSIS

The subject property was originally granted a specific use permit to operate a restaurant with a drive-through in 2016. The Applicant is required to receive approval of another specific use permit since the Applicant is substantially changing the configuration and circulation of the site. Significant changes to the site include incorporating two drive-through lanes, which accommodate a total of 42 stacking spaces (20-22 stacking spaces in each drive-through lane). Additionally, the Applicant has accommodated 60 parking spaces free and clear from the drive-through queuing. The Applicant eliminated 31 parking spaces to accommodate the new drive-through configuration, which will significantly manage traffic congestion and conflicts during peak operating times. Staff recommends approval of the SUP given the site's innovative design and layout proposed to handle current traffic conflicts for Chick-fil-A.

PUBLIC NOTIFICATIONS

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

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. The subject property shall conform to the layout shown in the site plan.
 2. The applicant shall obtain a permit from the City of Waxahachie Building Department and Public Works and Engineering Department prior to construction.

ATTACHED EXHIBITS

1. Ordinance
2. Location Map (Exhibit A)
3. Site Plan (Exhibit B)
4. Landscape Plan (Exhibit C)

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:
 Eleana Tuley, AICP
 Senior Planner
eleana.tuley@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com

(11)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE THROUGH ESTABLISHMENT USE WITHIN A PLANNED DEVELOPMENT DISTRICT- GENERAL RETAIL (PD-GR) LOCATED AT 996 W HIGHWAY 287 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.66 ACRES KNOWN AS PROPERTY ID 142134, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-47-2022. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from PD-GR to PD-GR, with an SUP in order to permit a Drive Through Establishment use on the following property: Property ID 142134, which is shown on the location map (Exhibit A), site plan (Exhibit B), landscape plan (Exhibit C), and staff report (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 DRIVE THROUGH ESTABLISHMENT (CHICK-FIL-A) USE IN THE PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number ZDC-47-2022.
2. The development shall adhere to the City Council approved in Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C - Landscape Plan, and Exhibit D – Staff Report.
3. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City’s applicable rules and regulations governing such permits.
4. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
5. Any zoning, land use requirement, or restriction not contained within this Development Agreement, Zoning Ordinance, or Staff Report as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, Exhibit C – Landscape Plan, and Exhibit D –Staff Report. Where regulations are not specified in Exhibits B, C, and D, or the zoning ordinance, the regulations of the General Retail Zoning District shall apply to this development.
6. 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. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

(11)

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 15th day of August, 2022.

MAYOR

ATTEST:

City Secretary

(11)

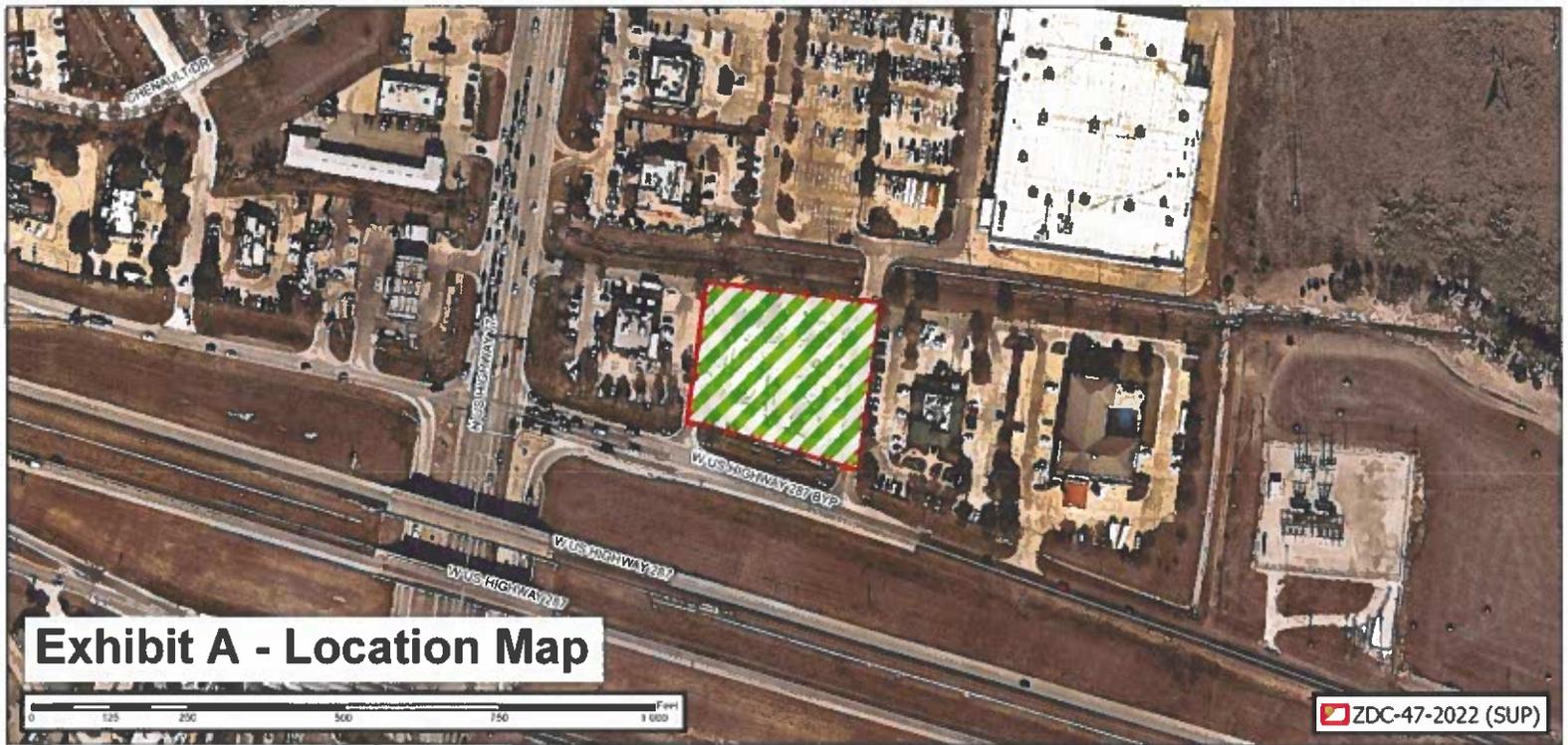
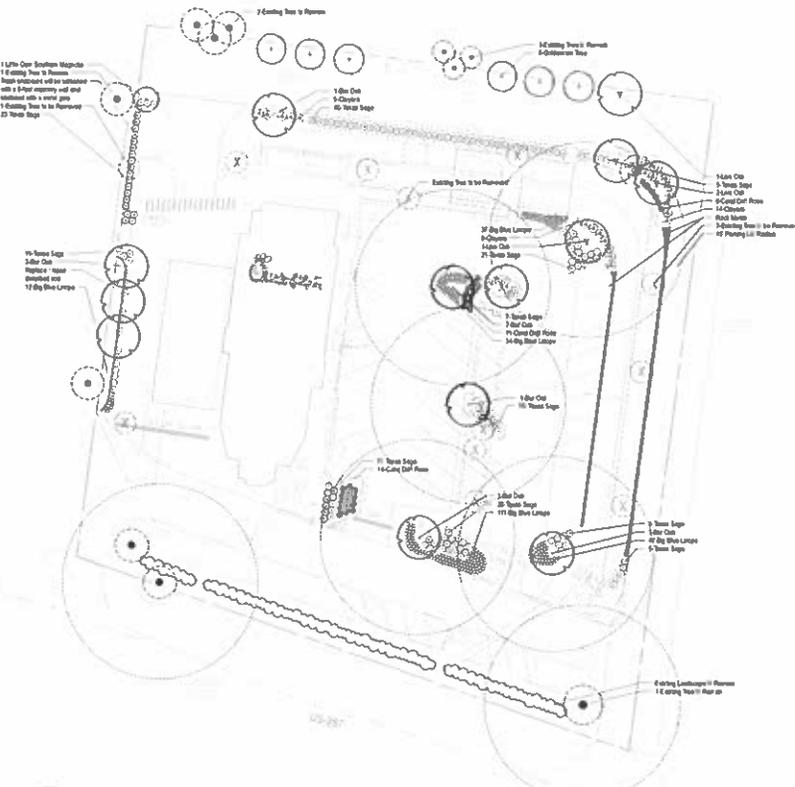


Exhibit A - Location Map

ZDC-47-2022 (SUP)

(11)

CITY OF WAXAHACHIE BUREAU OF PUBLIC WORKS
The primary purpose of this plan is to provide for the maintenance of all required landscaping as a facility, street, utility, and the growing medium of all trees. This shall include providing watering, pruning, fertilizing, mulching, and other such maintenance to the maintenance of landscaping. Landscaping areas shall be kept free of trash, litter, debris, and other such materials not a part of the landscaping. Plant materials that do not meet the requirements of this plan shall be replaced with equal or superior quality and size.



LANDSCAPE REQUIREMENTS

- A. TREES/SHRUBS**
1. All trees shall be 1 1/2\"/>
2. 20% of the area shall be reserved for trees and shrubs...
B. SHRUBS/CLIMBERS
1. 10% of the area shall be reserved for shrubs and climbers...
2. 15% of the area shall be reserved for shrubs and climbers...
3. 15% of the area shall be reserved for shrubs and climbers...
4. 15% of the area shall be reserved for shrubs and climbers...
5. 15% of the area shall be reserved for shrubs and climbers...
C. FLOWERING TREES
1. 10% of the area shall be reserved for flowering trees...
2. 10% of the area shall be reserved for flowering trees...
3. 10% of the area shall be reserved for flowering trees...
4. 10% of the area shall be reserved for flowering trees...

PLANT LIST

Item	Plant Name	Quantity	Notes
1	Large tree	1	
2	Medium tree	2	
3	Small tree	3	
4	Shrub	4	
5	Flowering tree	5	
6	Shrub	6	
7	Shrub	7	
8	Shrub	8	
9	Shrub	9	
10	Shrub	10	
11	Shrub	11	
12	Shrub	12	
13	Shrub	13	
14	Shrub	14	
15	Shrub	15	
16	Shrub	16	
17	Shrub	17	
18	Shrub	18	
19	Shrub	19	
20	Shrub	20	
21	Shrub	21	
22	Shrub	22	
23	Shrub	23	
24	Shrub	24	
25	Shrub	25	
26	Shrub	26	
27	Shrub	27	
28	Shrub	28	
29	Shrub	29	
30	Shrub	30	

ADDITIONAL REQUIREMENTS

- 1. Landscaping shall be installed within 30 days of the start of construction...
2. Landscaping shall be maintained throughout the life of the project...
3. Landscaping shall be watered and fertilized as required...
4. Landscaping shall be protected from damage...
5. Landscaping shall be replaced if damaged...
6. Landscaping shall be installed in accordance with the plan...
7. Landscaping shall be installed in accordance with the plan...
8. Landscaping shall be installed in accordance with the plan...
9. Landscaping shall be installed in accordance with the plan...
10. Landscaping shall be installed in accordance with the plan...
11. Landscaping shall be installed in accordance with the plan...
12. Landscaping shall be installed in accordance with the plan...
13. Landscaping shall be installed in accordance with the plan...
14. Landscaping shall be installed in accordance with the plan...
15. Landscaping shall be installed in accordance with the plan...
16. Landscaping shall be installed in accordance with the plan...
17. Landscaping shall be installed in accordance with the plan...
18. Landscaping shall be installed in accordance with the plan...
19. Landscaping shall be installed in accordance with the plan...
20. Landscaping shall be installed in accordance with the plan...



Exhibit C - Landscape Plan

Chick-fil-A
5300 Buffington Road
Atlanta, Georgia 30348-2990

manley
LANDSCAPE ARCHITECTURE
Landscape Architecture
Manley Land Survey, Inc.
3000 Cobble Street
Highlands, Georgia 30329
770.432.7711

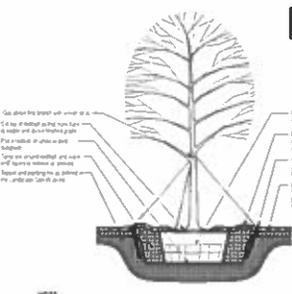
CHICK-FIL-A
996 W HWY 287 BP,
WAXAHACHIE,
TX 75165

FSU# 01698

PERMIT
Landscape Plan
L-100

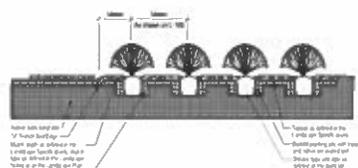
(11)

Exhibit C - Landscape Plan



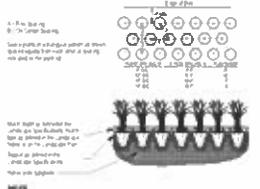
- NOTE:**
1. Plant to be in the center of the hole.
 2. Do not heavily grade the planting hole. The hole should be 2-3 inches wider than the root ball.
 3. If a tree is to be planted in a hole that is not 2-3 inches wider than the root ball, it is not to be planted in a hole that is not 2-3 inches wider than the root ball.
 4. The hole should be 2-3 inches wider than the root ball.

1 TREE PLANTING & SPACING
SCALE: 1/4" = 1'-0"



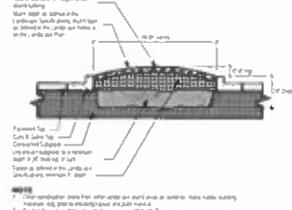
- NOTE:**
1. The shrub bed should be 2-3 inches wider than the root ball.
 2. The shrub bed should be 2-3 inches wider than the root ball.
 3. The shrub bed should be 2-3 inches wider than the root ball.
 4. The shrub bed should be 2-3 inches wider than the root ball.

2 SHRUB BED PLANTING DETAIL
SCALE: 1/4" = 1'-0"



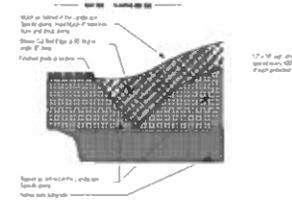
- NOTE:**
1. The groundcover plants should be 2-3 inches wider than the root ball.
 2. The groundcover plants should be 2-3 inches wider than the root ball.
 3. The groundcover plants should be 2-3 inches wider than the root ball.
 4. The groundcover plants should be 2-3 inches wider than the root ball.

3 GROUNDCOVER PLANTING DETAIL
SCALE: 1/4" = 1'-0"



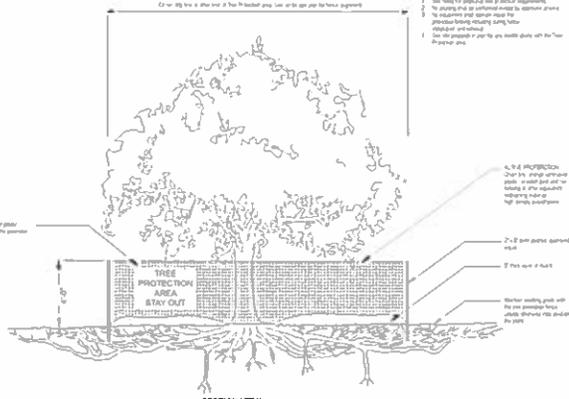
- NOTE:**
1. The paving island should be 2-3 inches wider than the root ball.
 2. The paving island should be 2-3 inches wider than the root ball.
 3. The paving island should be 2-3 inches wider than the root ball.
 4. The paving island should be 2-3 inches wider than the root ball.

4 PAVING ISLAND DETAIL
SCALE: 1/4" = 1'-0"



- NOTE:**
1. The 1/2\"/>

5 1/2\"/>



- NOTE:**
1. The tree protection fence should be 2-3 inches wider than the root ball.
 2. The tree protection fence should be 2-3 inches wider than the root ball.
 3. The tree protection fence should be 2-3 inches wider than the root ball.
 4. The tree protection fence should be 2-3 inches wider than the root ball.

6 TREE PROTECTION FENCING DETAIL
SCALE: 1/4" = 1'-0"

Chick-Fil-A
Land Design
1300 South College Road
Atlanta, Georgia 30340-2996

manley
LAND DESIGN
Landscape Architecture
1000 Peachtree Street, N.E.
Atlanta, Georgia 30309
770-462-7111

CHICK-FIL-A
996 W HWY 287 BP,
WAXAHACHIE,
TX 75165

FSU# 01698

PERMIT Landscape Details
L-101

(12)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-52-2022



MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 9, 2022, the Commission voted 6-0 to recommend approval of case number ZDC-52-2022.

CAPTION

Public Hearing on a request by Jeb Jones, Pro Star Rental, for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Sales and Rental use within a Light Industrial (LI-1) zoning district located at 2601 North Highway 77 (Property ID 174803) - Owner: CJ Commercial Co LLC (ZDC-52-2022)

APPLICANT REQUEST

The applicant requests a specific use permit to expand an existing heavy machinery and equipment sales and rental business (Pro Star Rental of Waxahachie). The property owner plans to purchase and acquire an additional 0.5 acres from the Northside Church of Christ to integrate into the site and expand the business's equipment rental and sales storage area. No changes are proposed to the existing building.

CASE INFORMATION

<i>Applicant:</i>	Jeb Jones, CEO, Pro Star Rental
<i>Property Owner(s):</i>	CJ Commercial Co., LLC
<i>Site Acreage:</i>	1.85 acres
<i>Current Zoning:</i>	LI-1 – Light Industrial District
<i>Requested Zoning:</i>	LI-1 with a specific use permit (SUP) for heavy machinery and equipment sales and rental use

SUBJECT PROPERTY

<i>General Location:</i>	2601 North Highway 77
<i>Parcel ID Number(s):</i>	174803
<i>Existing Use:</i>	Heavy Machinery and Equipment Sales and Rental Business (Pro Star Rental of Waxahachie)

Development History:

An SUP (ZA 2013-38) for Heavy Machinery and Equipment Sales and Rental use was approved in 2013.

The subject property was platted into its current configuration in 2015.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Northside Church of Christ
East	LI-1	Multi-tenant office building
South	LI-1	Multi-tenant office building
West	LI-1	Lippert

Future Land Use Plan:

Retail

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property has access onto North Highway 77, which is classified as a Major Thoroughfare (Type A -120').

Site Image:

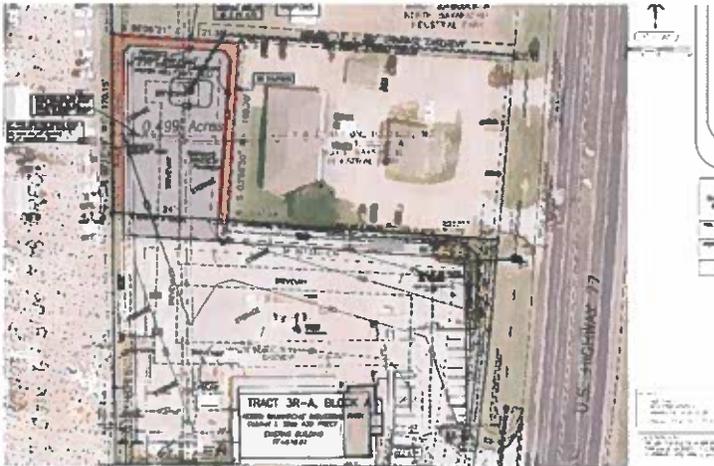


PLANNING ANALYSIS

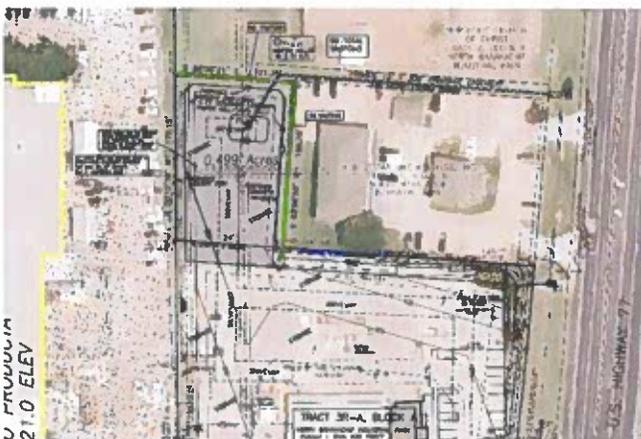
The applicant requests a specific use permit to expand an existing heavy machinery and equipment sales and rental business (Pro Star Rental of Waxahachie). The property owner plans to purchase and acquire an additional .5 acres from the Northside Church of Christ to integrate into the site and expand the business's equipment rental and sales storage area. No changes are proposed to the existing building. As shown in the site image above, the new equipment storage area will be located behind two existing multi-

tenant buildings located north of Pro Star Rental. In addition to the SUP, the Applicant requests approval of two variance requests, which are discussed in greater detail below.

The Applicant is requesting a variance to allow for gravel along the perimeter of the new storage area instead of using concrete as proposed in the remainder. The storage area proposed with gravel is 10 feet deep and approximately 463 linear feet. The gravel portion of the site is shown in red in the image below. The existing storage area for Pro Star Rental is predominantly unpaved, and only the customer parking in front of the building is paved with a concrete surface material. The Applicant intends to park and store heavy equipment in areas with gravel. Staff recommends approval of the variance given that the majority of the new outdoor storage area will be paved with a concrete surface material and will not interfere with site circulation.



The Applicant is also requesting a variance to not screen the outdoor storage along the western property line. Per section 5.03 (Fencing, Walls, and Screening Requirements) of the zoning ordinance, the Applicant is required to screen the outdoor storage with a 6-foot wall or fence in combination with a living screen (consisting of evergreen shrubs typically 3 feet at the time of planting) along all property lines. The Applicant is proposing to screen the new outdoor storage area with a 6-foot wrought iron fence with a living screen (composed of yaupon hollies 6-feet at the time of planting) along the eastern and northern property lines of the new storage area as shown in the image below. Staff is okay with the Applicant not extending the living screen along the western property line since the property on the west (Lippert) currently uses that area for outdoor storage, causing minimal visual impact where no screening is proposed. Staff recommends approval of the variance request since the Applicant has adequately screened the new outdoor storage area from existing establishments on the north (Northside Church of Christ) and east (multi-tenant office buildings) sides of the property.



PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 10 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. City Staff has received one letter of support.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. Approval of a variance request to utilize gravel in areas shown on the site plan.
 2. Approval of a variance request to not screen the newly incorporated outdoor storage area along the western property line as shown on the site plan.
 3. The Applicant shall include a landscape plan for the living screen with the civil plan application submitted to the City of Waxahachie Public Works and Engineering Department.
 4. The applicant shall obtain an irrigation permit from the City of Waxahachie Building Department prior to construction.

ATTACHED EXHIBITS

1. Ordinance
2. Location Map (Exhibit A)
3. Site Plan (Exhibit B)
4. Letter of Support

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Public Works and Engineering Department.

STAFF CONTACT INFORMATION

Prepared by:
 Eleana Tuley, AICP
 Senior Planner
eleana.tuley@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com

(127)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-52-2022**



CJ COMMERCIAL CO LLC
302 PINE TREE RD
LONGVIEW, TX 75604

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Jeb Jones, Pro Star Rental, for a **Specific Use Permit (SUP)** for a **Heavy Machinery and Equipment Sales and Rental**, use within a Light Industrial (LI-1) zoning district located at 2601 North Highway 77 (Property ID 174803) - Owner: CJ COMMERCIAL CO LLC (ZDC-52-2022)

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

Case Number: **ZDC-52-2022**

City Reference: 174803

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

7/27/22

Date

Timothy Moore

Printed Name and Title

302 Pine Tree Rd., Longview TX
Address 75604

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.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MACHINERY AND EQUIPMENT SALES AND RENTAL USE WITHIN A LIGHT INDUSTRIAL-1 DISTRICT LOCATED ON 2601 NORTH HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.85 ACRES KNOWN AS PROPERTY ID 174803, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-52-2022. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from LI-1 to LI-1, with an SUP in order to permit a Heavy Machinery and Equipment Sales and Rental use on the following property: Property ID 174803, which is shown on the location map (Exhibit A), site plan (Exhibit B), and staff report (Exhibit C).

SPECIFIC USE PERMIT

Purpose and Intent

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

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A HEAVY MACHINERY AND EQUIPMENT SALES AND RENTAL USE (PRO STAR RENTAL OF WAXAHACHIE) USE IN THE LIGHT INDUSTRIAL-1 (LI-1) 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-52-2022.
2. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Site Plan, and Exhibit C - Staff Report.
3. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
4. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
5. Any zoning, land use requirement, or restriction not contained within this Development Agreement, Zoning Ordinance, or Staff Report as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, and Exhibit C – Staff Report. Where regulations are not specified in Exhibits B, C, or the zoning ordinance, the regulations of the Light Industrial-1 Zoning District shall apply to this development.
6. 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. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 15th day of August, 2022.

MAYOR

ATTEST:

City Secretary



Exhibit A - Location Map

 ZDC-52-2022 (SUP)

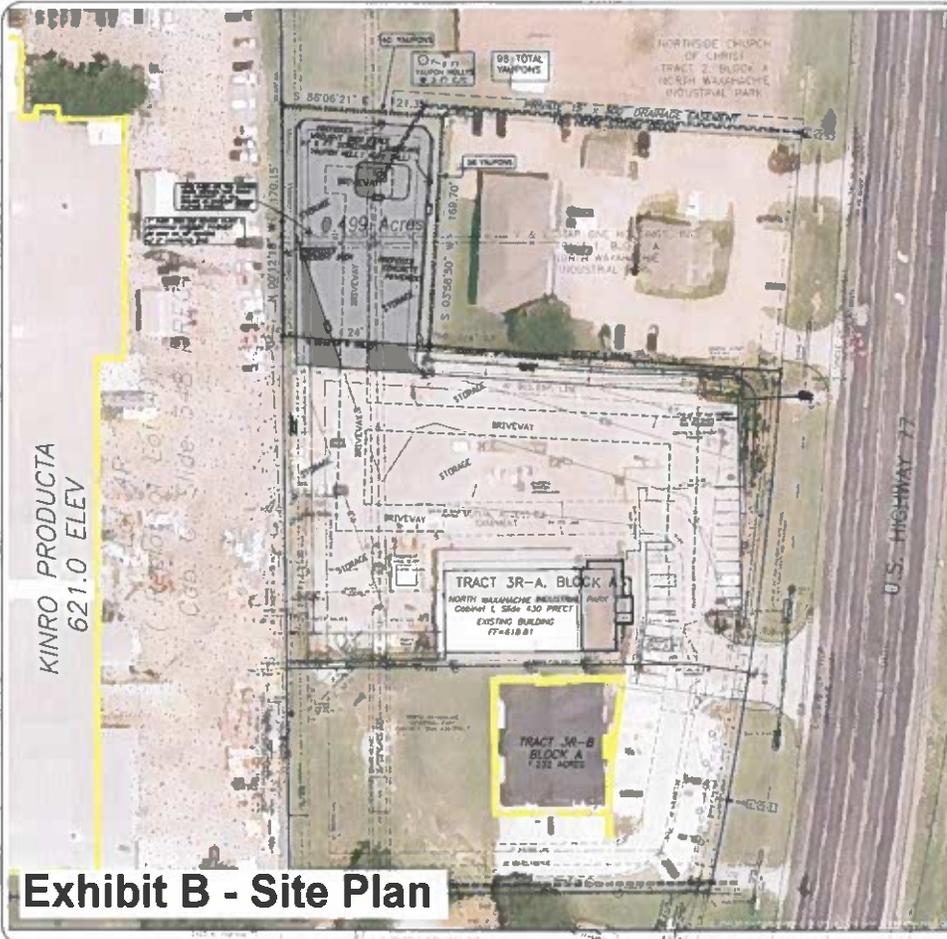
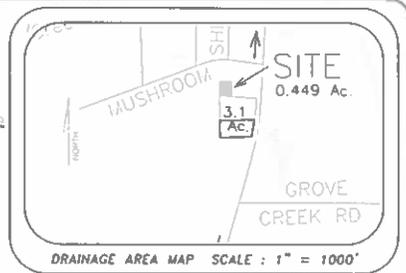


Exhibit B - Site Plan



NORTH WAXAHACHIE INDUSTRIAL PARK - LOT 3R-B						
Drainage Area	Runoff Coeff	Time of Conc	Runoff Intensity in/hr	Storm Runoff		
PRE-DEVELOPMENT - 8.448 AC. RESIDUAL	0.50	10	2.5/10/20/50/100 yr	2.76/11/25/56/100 yr		
POST-DEVELOPMENT - 8.448 AC. RESIDUAL	0.50	10	2.5/10/20/50/100 yr	6.68/11/25/56/100 yr		

GENERAL NOTES

ZONING: U-1 LIGHT INDUSTRIAL
 PROPOSED USE: HEAVY MACHINERY AND EQUIPMENT SALES & REPAIR
 ADDITIONAL LOT AREA: 19,568 SF (0.448 AC.)
 TOTAL LOT AREA: 100,163 SF (2.300 AC.)
 TOTAL BUILDING AREA: 8,300 SF
 TOTAL BUILDING HEIGHT: 18 FT
 LOT COVERAGE: 8.300 SF/100,163 SF = 8.24%
 TOTAL PARKING REQUIRED: 1 SPACE PER 500 SF = 17 SPACES REQUIRED
 TOTAL PARKING PROVIDED: 18 SPACES

AS-BUILT

AS-BUILT WORK
 NO NEW WORK PROPOSED FOR THIS PROJECT
 1. FINISHED GRADE AS SHOWN

RECOMMENDATIONS (ENTRANCE DRIVE)

- RECOMMEND #111
- FOURD - 4" IN CONCRETE
- ELEVATION = 617.53
- RECOMMEND #112
- FOURD - 4" IN CONCRETE
- ELEVATION = 617.83



CASE NO.: ZDC-52-2022

PRO STAR RENTAL
S.U.P. APPLICATION
2,308 ACRES
LOT 3R-A, BLOCK A
North Waxahachie
Industrial Park
 In the City of Waxahachie, Ellis County, Texas

D&M ENGINEERS **DAVIS & McDILL, Inc.**

RD 804 428 Waxahachie, Texas 75166
 Phone: (940) 212-1111
 (A 100% Bonded Engineering Firm # 0422)

DATE: JUNE 24, 2022
 SHEET: 1 OF 1
 PROJECT: 218-0001-BASE PRELIM SITE PLAN
 SHEET: 1

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-76-2022

MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 09, 2022, the Commission voted 6-0 to recommend approval of the case number ZDC-76-2022, as recommended by Staff.

CAPTION

Public Hearing on a request by Shannon Childs for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit** use within a Single Family-2 (SF-2) zoning district located at 301 Olive Street. (Property ID 180822) – Owner: SHANNON CHILDS (ZDC-76-2022).

APPLICANT REQUEST

The applicant requests to utilize an existing accessory structure (731 sq ft) as an accessory dwelling unit.

CASE INFORMATION

Applicant: Shannon Childs

Property Owner(s): Shannon Childs

Site Acreage: 0.448 acres

Current Zoning: Single Family-2

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for an Accessory Dwelling Unit.

SUBJECT PROPERTY

General Location: 301 Olive St.

Parcel ID Number(s): 180822

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

Existing Use: The existing use is residential.

Development History The subject property is not platted.

Adjoining Zoning & Uses:

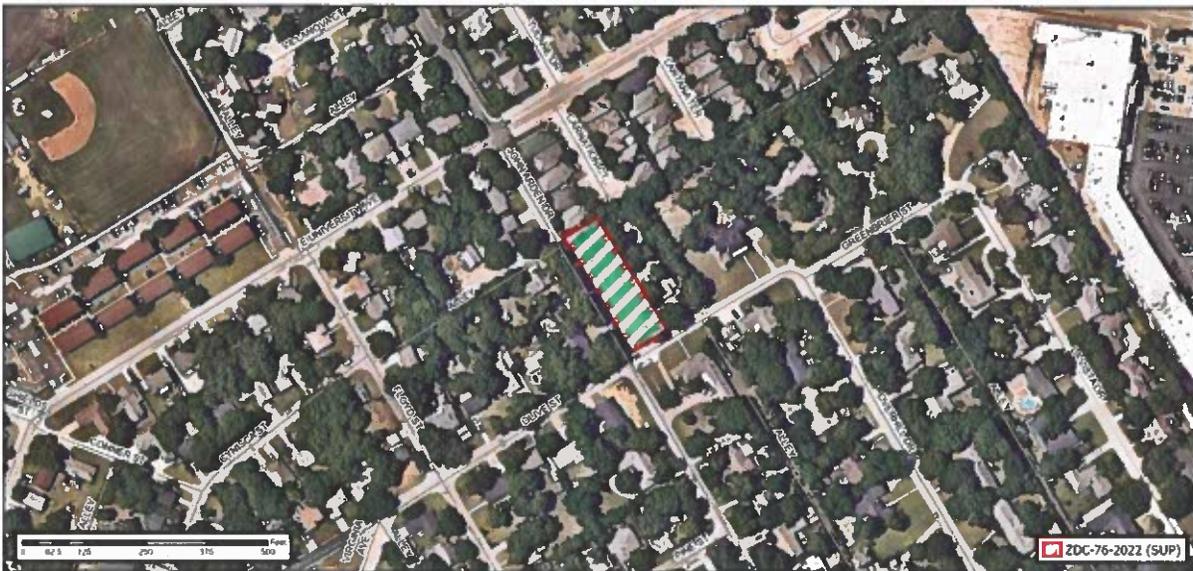
Direction	Zoning	Current Use
North	PD-56-SF-2	Single Family Residential Home
East	Single-Family-2	Single Family Residential Home
South	Single-Family-2	Single Family Residential Home
West	Single-Family-2	Single Family Residential Home

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single-family homes and some duplex lots. 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: The subject property is accessible via John Arden Dr.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to utilize an existing +700 sq. ft. (731 sq. ft.) accessory structure to the side and rear of a single-family residential lot at 301 Olive Street. The Ellis County Appraisal District states that the primary structure on the property is 3,139 square feet. The use of the accessory structure as an accessory dwelling unit without a Specific Use Permit was brought to the attention of Code Enforcement, and a case was subsequently opened. The applicant quickly got in touch with the Planning department to begin steps toward resolution. Per the City of Waxahachie Zoning Ordinance, an accessory structure used as a dwelling unit requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

The proposed accessory structure comprises 731 square feet of fully enclosed space. The structure contains a bedroom, bathroom, living and kitchen area, and a small enclosed storage space. The accessory structure has been used as an accessory dwelling unit for several years. Currently, the accessory dwelling unit is occupied by family members of the property owner. Staff could not determine if the accessory dwelling unit obtained building permits at the time of construction.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 30 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

As of the date of this staff report, staff has received three responses in support.

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 accessory dwelling unit shall not be used for residence by a non-family member.
 2. The structure shall, in any case, not be leased or sold and shall not be separately metered.
 3. The applicant will need to ensure that the structure is habitable.
 4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to renovating the accessory structure.

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

1. Site Layout Plan
2. Property Owner Notification Responses

STAFF CONTACT INFORMATION

Prepared by:
Ashlie Jones
Senior Planner
ashlie.jones@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY DWELLING UNIT USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 301 OLIVE STREET, BEING PROPERTY ID 180822, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-76-2022. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2, with a SUP in order to permit an Accessory Dwelling Unit use on the following property: 301 Olive Street, which is shown on Exhibit A, in accordance with the Site Layout Exhibit attached as Exhibit B, the Site Plan 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 AN ACCESSORY DWELLING UNIT 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-76-2022.
2. The development shall adhere to the City Council approved Exhibit A – Location Exhibit, Exhibit B- Site Layout Exhibit, Exhibit C – Site Plan Exhibit, and Exhibit D – Staff Report.
3. The accessory dwelling unit shall not be used for residence by a non-family member.
4. The accessory structure shall not be used for commercial purposes.
5. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
6. The applicant shall ensure that the structure is habitable.
7. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.
8. 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.
9. 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 _____ day of _____, 2022.

MAYOR

ATTEST:

City Secretary

(15)

Exhibit A - Location Exhibit

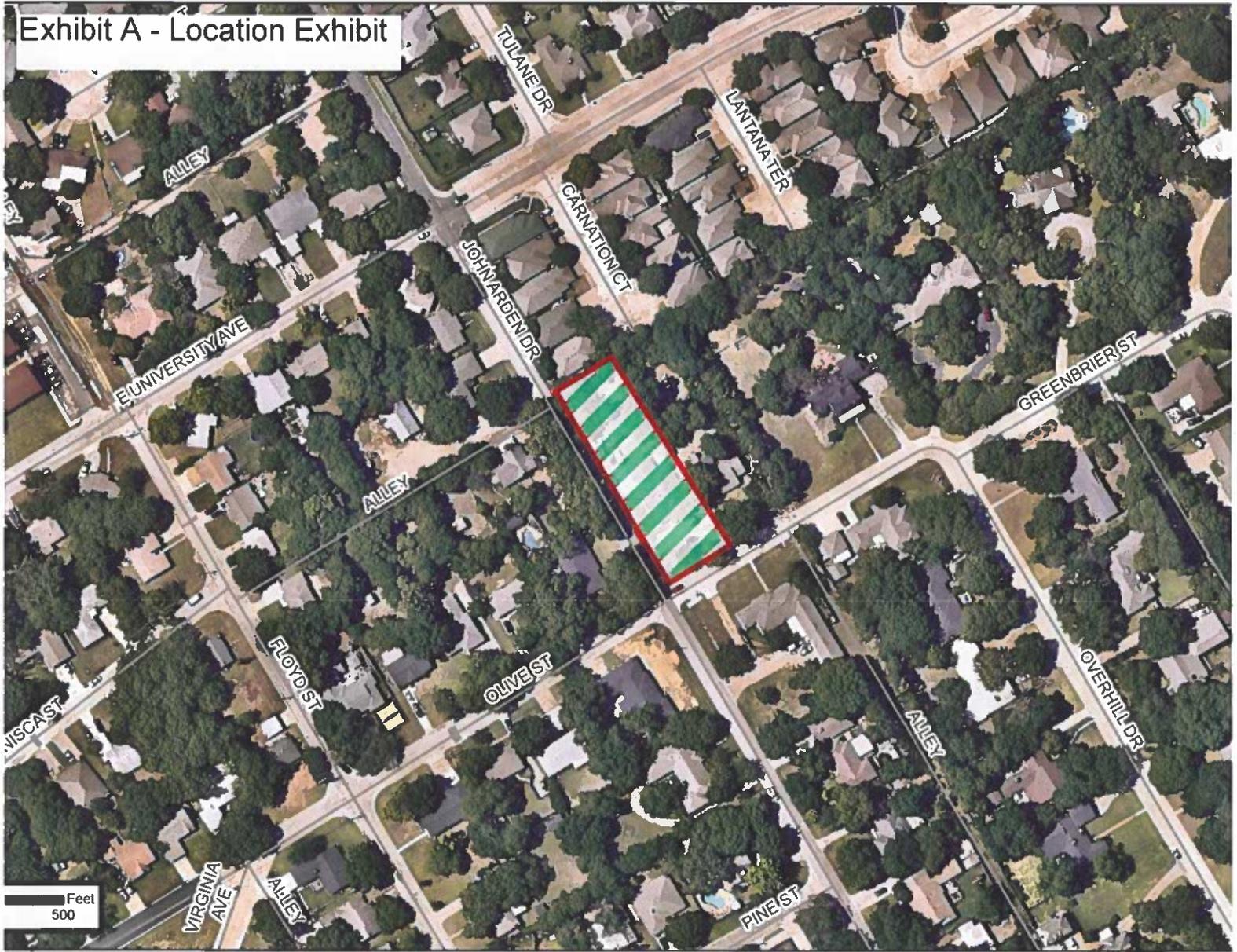


Exhibit B - Site Layout Exhibit



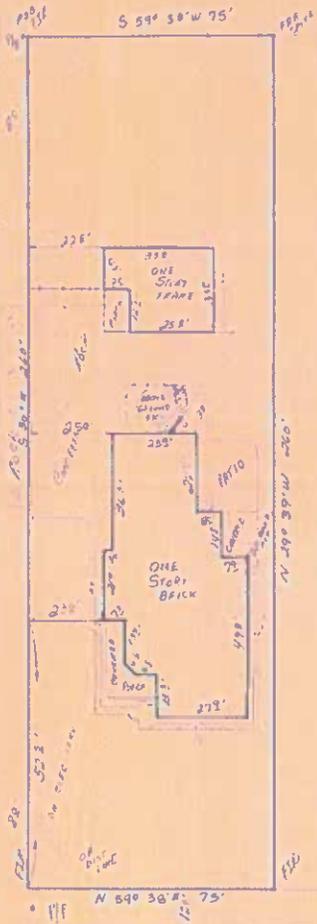
**Site Layout Exhibit
ZDC-76-2022**

- Proposed Accessory Dwelling (738.3 sq. ft.)
- Existing Home & Accessory Structure
- Property Line

(15)

Exhibit C - Site Plan Exhibit

JOHN ARDEN DRIVE



301 OLIVE STREET

CLERK NAME: JOHN KERRY CHILDS

PROPERTY ADDRESS: 301 OLIVE STREET

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATED IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS, TO-WIT: BEING A PART OF 20 ACRES OUT OF THE WILLIAM BASRINS SURVEY, ABSTRACT NO. 348, ELLIS COUNTY, TEXAS, OUT OF THE SOUTHWEST QUARTER OF BLOCK NO. 2 OF THE SUBDIVISION OF SAID WILLIAM BASRINS SURVEY, ACCORDING TO THE MAP THEREOF RECORDED IN THE DEED RECORDS OF ELLIS COUNTY, TEXAS, AND ALSO BEING A PART OF 16-1/4 ACRE TRACT CONVEYED BY J. T. SHANNON TO C. H. CHAPMAN ON JUNE 8, 1928, BY DEED RECORDED IN VOLUME 300, PAGE 322, DEED RECORDS OF ELLIS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID 20 ACRE TRACT, THE SAME ALSO BEING THE NORTHWEST CORNER OF THE SAID 16-1/4 ACRE TRACT;

THENCE SOUTH 30° EAST, WITH THE WEST LINE OF SAID TRACTS, 250 FEET TO CORNER OF SAID LINE, THE SAME BEING THE SOUTHWEST CORNER OF A LOT CONVEYED BY C. H. CHAPMAN AND WIFE, TO J. A. HUNT, BY DEED DATED OCTOBER 27, 1943, AND RECORDED IN VOLUME 363, PAGE 1, DEED RECORDS OF ELLIS COUNTY, TEXAS;

THENCE NORTH 59 degrees 36 minutes EAST, WITH THE SOUTH LINE OF SAID LOT CONVEYED BY CHAPMAN TO HUNT, 75 FEET TO THE MOST SOUTHERN SOUTHEAST CORNER THEREOF, THE SAME BEING THE SOUTHWEST CORNER OF A LOT CONVEYED BY T. G. ESTES AND WIFE, TO J. A. HUNT, BY DEED DATED FEBRUARY 19, 1942, AND RECORDED IN VOLUME 354, PAGE 189, DEED RECORDS OF ELLIS COUNTY, TEXAS;

THENCE NORTH 29 degrees 33 minutes WEST, WITH THE WEST LINE OF SAID LOT CONVEYED BY ESTES TO HUNT, AT 700 FEET PASS THE NORTHWEST CORNER THEREOF, CONTINUING THE SAME COURSE IN ALL 260 FEET TO THE NORTH LINE OF SAID 16-1/4 ACRE TRACT;

THENCE SOUTH 59 degrees 36 minutes WEST, WITH THE NORTH LINE OF SAID 16-1/4 ACRE TRACT, 75 FEET TO THE PLACE OF BEGINNING.

I, JAMES W. MOBLE, A REGISTERED PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THE ABOVE PLAN WAS COMPILED FROM AN ACCURATE SURVEY, MADE ON THE GROUND, UNDER MY PERSONAL SUPERVISION, AND THERE ARE NO CONFLICTS, PROVISIONS, OR ENCUMBRANCES, OR EASEMENTS EXCEPT AS NOTED ON THE PLAN.



EASEMENTS TO TEXAS HIGHWAY & LIGHT 14 VOLUME 303, PAGE 274 AND VOLUME 351, PAGE 189 DO NOT AFFECT

I CERTIFY THAT THIS PROPERTY LIES IN ZONE C WHICH IS AREAS OUTSIDE THE 500 YEAR FLOOD PLAIN PER F.E.M.A. COMMUNITY PANEL 480211 0015 B.

DATE	APPROVED BY	EXAMINED BY
3-29-51		

MORLEY LAND SURVEYING
2851 N.W. DALLAS ST.
GRAND PRAIRIE, TX 75050
214-267-1100

**Planning & Zoning Department
Zoning Staff Report**



Case: ZDC-76-2022

MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 09, 2022, the Commission voted 6-0 to recommend approval of the case number ZDC-76-2022, as recommended by Staff.

CAPTION

Public Hearing on a request by Shannon Childs for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit** use within a Single Family-2 (SF-2) zoning district located at 301 Olive Street. (Property ID 180822) – Owner: SHANNON CHILDS (ZDC-76-2022).

APPLICANT REQUEST

The applicant requests to utilize an existing accessory structure (731 sq ft) as an accessory dwelling unit.

CASE INFORMATION

<i>Applicant:</i>	Shannon Childs
<i>Property Owner(s):</i>	Shannon Childs
<i>Site Acreage:</i>	0.448 acres
<i>Current Zoning:</i>	Single Family-2
<i>Requested Zoning:</i>	SF-2 with a Specific Use Permit (SUP) for an Accessory Dwelling Unit.

SUBJECT PROPERTY

<i>General Location:</i>	301 Olive St.
<i>Parcel ID Number(s):</i>	180822
<i>Current Zoning:</i>	Single Family-2 (SF-2)
<i>Existing Use:</i>	The existing use is residential.
<i>Development History</i>	The subject property is not platted.

Adjoining Zoning & Uses:

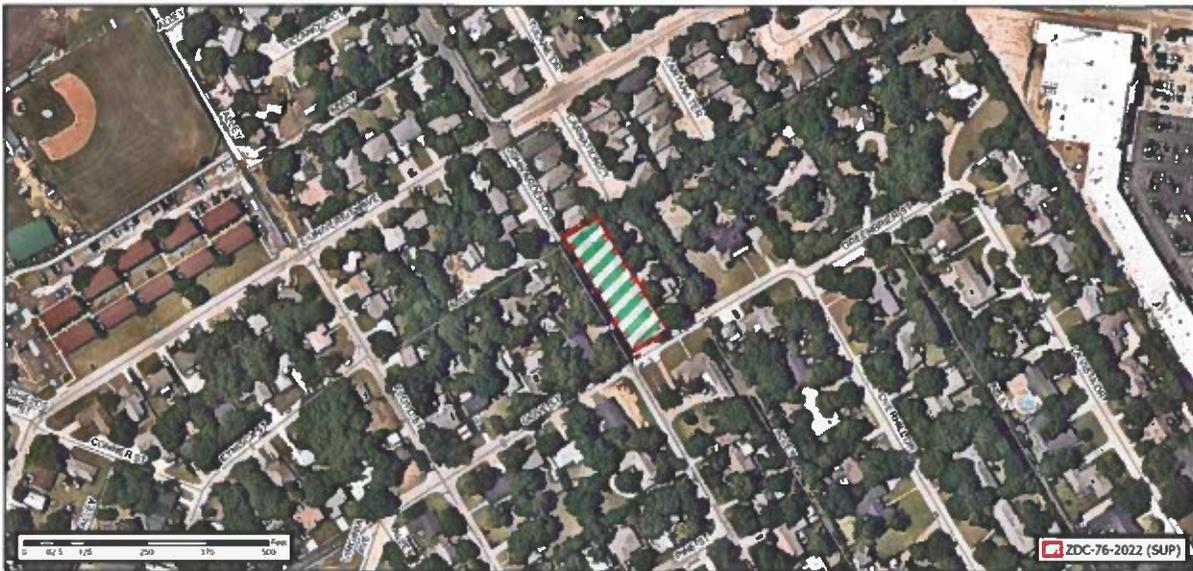
Direction	Zoning	Current Use
North	PD-56-SF-2	Single Family Residential Home
East	Single-Family-2	Single Family Residential Home
South	Single-Family-2	Single Family Residential Home
West	Single-Family-2	Single Family Residential Home

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single-family homes and some duplex lots. 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: The subject property is accessible via John Arden Dr.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to utilize an existing +700 sq. ft. (731 sq. ft.) accessory structure to the side and rear of a single-family residential lot at 301 Olive Street. The Ellis County Appraisal District states that the primary structure on the property is 3,139 square feet. The use of the accessory structure as an accessory dwelling unit without a Specific Use Permit was brought to the attention of Code Enforcement, and a case was subsequently opened. The applicant quickly got in touch with the Planning department to begin steps toward resolution. Per the City of Waxahachie Zoning Ordinance, an accessory structure used as a dwelling unit requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

The proposed accessory structure comprises 731 square feet of fully enclosed space. The structure contains a bedroom, bathroom, living and kitchen area, and a small enclosed storage space. The accessory structure has been used as an accessory dwelling unit for several years. Currently, the accessory dwelling unit is occupied by family members of the property owner. Staff could not determine if the accessory dwelling unit obtained building permits at the time of construction.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, **30** 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

As of the date of this staff report, staff has received three responses in support.

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 accessory dwelling unit shall not be used for residence by a non-family member.
 2. The structure shall, in any case, not be leased or sold and shall not be separately metered.
 3. The applicant will need to ensure that the structure is habitable.
 4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to renovating the accessory structure.

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

1. Site Layout Plan
2. Property Owner Notification Responses

STAFF CONTACT INFORMATION

Prepared by:
Ashlie Jones
Senior Planner
ashlie.jones@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

(16)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-83-2022

MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 09, 2022, the Commission voted 6-0 to recommend approval of the case number ZDC-83-2022, as recommended by Staff.

CAPTION

Public Hearing on a request by Lee & Anna Martin for a **Specific Use Permit (SUP)** for an **Accessory Structure equal to or greater than 700SF** use within a Single Family-1 (SF-1) zoning district located at 116 Spring Creek Dr. (Property ID 206166) – Owner: LEE & ANNA MARTIN (ZDC-83-2022).

APPLICANT REQUEST

The applicant requests to construct a +700 sq. ft. (1,500 sq. ft.) accessory structure to the rear of a single-family residential lot.

CASE INFORMATION

<i>Applicant:</i>	Lee & Anna Martin
<i>Property Owner(s):</i>	Lee & Anna Martin
<i>Site Acreage:</i>	3.758 acres
<i>Current Zoning :</i>	SF-1
<i>Requested Zoning:</i>	SF-1 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.

SUBJECT PROPERTY

<i>General Location:</i>	116 Spring Creek Dr.
<i>Parcel ID Number(s):</i>	206166
<i>Current Zoning:</i>	Single Family-1 (SF-1)
<i>Existing Use:</i>	The existing use is residential.
<i>Development History</i>	The subject property is platted as Lot 11A of the Rock Bottom Ranch Addition

(116)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Single-Family-1	Single Family Residential Home
East	Single-Family-1	Undeveloped
South	Single-Family-1	Undeveloped
West	Single-Family-1	Single Family Residential Home

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single-family homes and some duplex lots. 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: The subject property is accessible via Spring Creek Dr.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes constructing a +700 sq. ft. (1,500 sq. ft.) accessory structure to the side and rear of a single-family residential lot at 116 Spring Creek Drive. The Ellis County Appraisal District states that the primary structure on the property is 2,702 square feet. Per the City of Waxahachie Zoning Ordinance, an accessory structure equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

The proposed accessory structure comprises 1,500 square feet of fully enclosed space. The applicant is proposing to construct the structure out of exterior metal panels. The structure is intended to be used as a barn for livestock and storage. The applicant has confirmed to staff that the structure will not be used as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure will be connected to the existing driveway with a concrete drive. At the time of this report (August 1, 2022), staff has received one letter of opposition.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 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

As of the date of this staff report, staff has received one response in opposition.

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

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

1. Ordinance
2. Location Map
3. Site Layout Exhibit
4. Site Plan
5. PON Responses

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Ashlie Jones
Senior Planner
ashlie.jones@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED 116 SPRING CREEK DRIVE, BEING PROPERTY ID 206166, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 11A, IN THE ROCK BOTTOM RANCH ADDITION, 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-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-83-2022. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from SF-1 to SF-1, with a SUP in order to permit an Accessory Structure Equal to or Greater Than 700 Square Feet use on the following property: Lot 11A, of the Rock Bottom Ranch Addition, which is shown on Exhibit A, in accordance with the Site Layout Exhibit attached as Exhibit B, the Site Plan attached as Exhibit C, the Elevations attached as Exhibit D and the Staff Report attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

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

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE EQUAL TO OR GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE FAMILY – 1 (SF-1) 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-83-2022.
2. The development shall adhere to the City Council approved Exhibit A – Location Exhibit, Exhibit B- Site Layout Exhibit, Exhibit C – Site Plan Exhibit, Exhibit D – Elevations, and Exhibit E – Staff Report.
3. The accessory structure shall not be used as a dwelling.
4. The accessory structure shall not be used for commercial purposes.
5. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
6. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. If approved, City Council reserves the right to review the Specific Use Permit at any point in the future, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.

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.

(17)

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2022.

MAYOR

ATTEST:

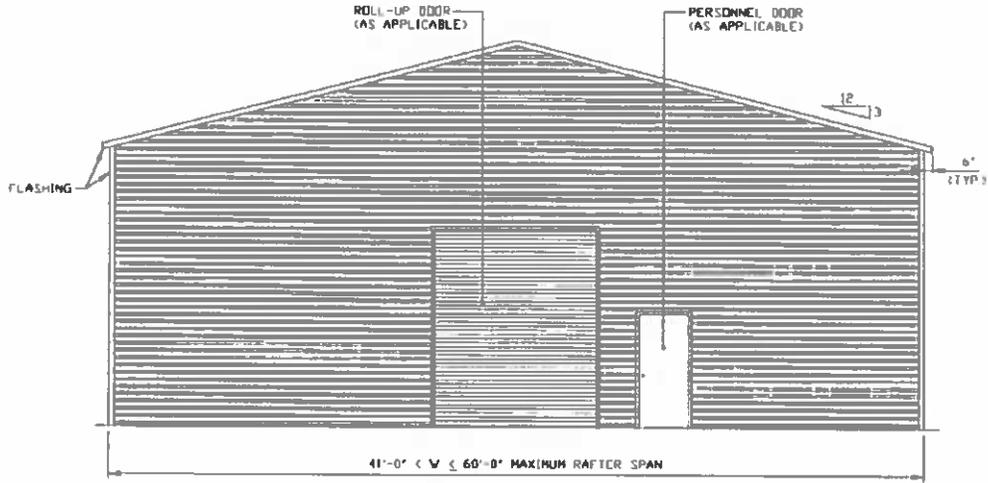
City Secretary

Exhibit A - Location Exhibit

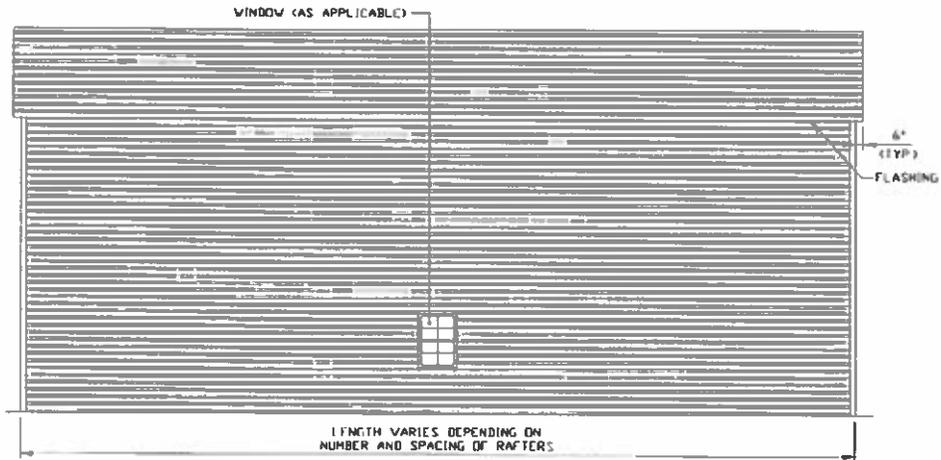


Exhibit B - Site Layout Exhibit





TYPICAL END ELEVATION
SCALE: NTS



TYPICAL SIDE ELEVATION
SCALE: NTS

**MOORE AND ASSOCIATES
ENGINEERING AND CONSULTING, INC.**

DRAWN BY: LT

CHECKED BY: PDH

PROJECT MGR: WSM

CLIENT: TEXWIN

**TEXWIN CARPORTS
1501 GOODNIGHT BLVD.
WILLS POINT, TX 75169**

41'-0"-60'-0" x 20'-0" RC II ENCLOSED STRUCTURE

DATE: 12-17-20

SCALE: NTS

JOB NO. 202955

SHT. 4

DWG. NO. SK-3

REV. 0

THIS DOCUMENT IS THE PROPERTY OF MOORE AND ASSOCIATES ENGINEERING AND CONSULTING, INC. UNAUTHORIZED REPRODUCTION, COPYING, OR OTHERWISE USE OF THIS DOCUMENT IS STRICTLY PROHIBITED AND ANY INFRINGEMENT THEREUPON MAY BE SUBJECT TO LEGAL ACTION.

Planning & Zoning Department
Zoning Staff Report



Case: ZDC-83-2022

MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 09, 2022, the Commission voted 6-0 to recommend approval of the case number ZDC-83-2022, as recommended by Staff.

CAPTION

Public Hearing on a request by Lee & Anna Martin for a **Specific Use Permit (SUP)** for an **Accessory Structure equal to or greater than 700SF** use within a Single Family-1 (SF-1) zoning district located at 116 Spring Creek Dr. (Property ID 206166) – Owner: LEE & ANNA MARTIN (ZDC-83-2022).

APPLICANT REQUEST

The applicant requests to construct a +700 sq. ft. (1,500 sq. ft.) accessory structure to the rear of a single-family residential lot.

CASE INFORMATION

<i>Applicant:</i>	Lee & Anna Martin
<i>Property Owner(s):</i>	Lee & Anna Martin
<i>Site Acreage:</i>	3.758 acres
<i>Current Zoning :</i>	SF-1
<i>Requested Zoning:</i>	SF-1 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.

SUBJECT PROPERTY

<i>General Location:</i>	116 Spring Creek Dr.
<i>Parcel ID Number(s):</i>	206166
<i>Current Zoning:</i>	Single Family-1 (SF-1)
<i>Existing Use:</i>	The existing use is residential.
<i>Development History</i>	The subject property is platted as Lot 11A of the Rock Bottom Ranch Addition

Adjoining Zoning & Uses:

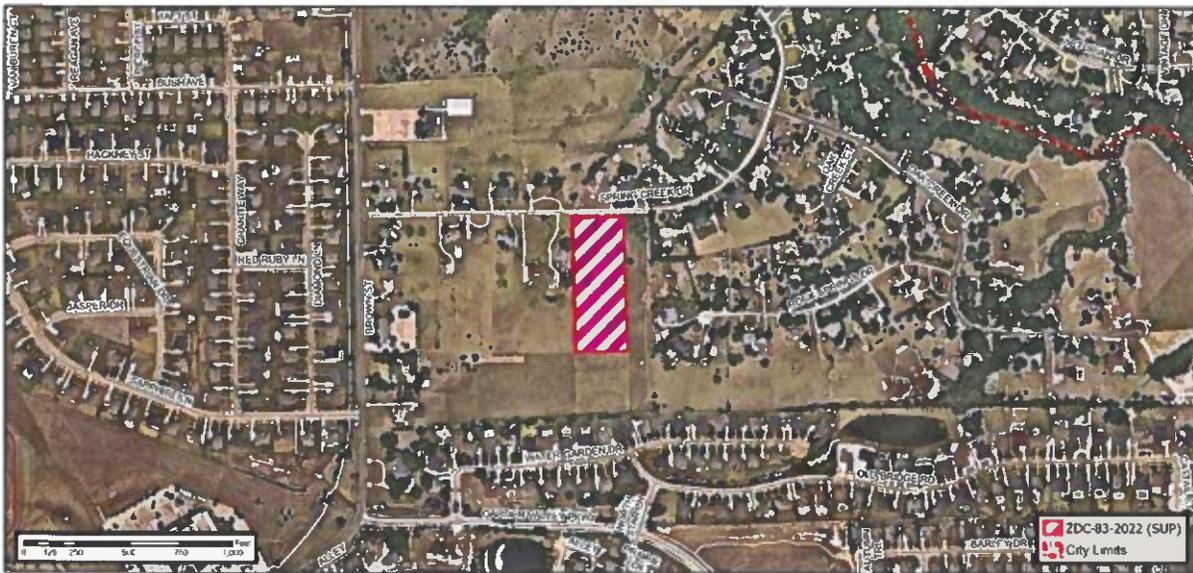
Direction	Zoning	Current Use
North	Single-Family-1	Single Family Residential Home
East	Single-Family-1	Undeveloped
South	Single-Family-1	Undeveloped
West	Single-Family-1	Single Family Residential Home

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single-family homes and some duplex lots. 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: The subject property is accessible via Spring Creek Dr.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes constructing a +700 sq. ft. (1,500 sq. ft.) accessory structure to the side and rear of a single-family residential lot at 116 Spring Creek Drive. The Ellis County Appraisal District states that the primary structure on the property is 2,702 square feet. Per the City of Waxahachie Zoning Ordinance, an accessory structure equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

The proposed accessory structure comprises 1,500 square feet of fully enclosed space. The applicant is proposing to construct the structure out of exterior metal panels. The structure is intended to be used as a barn for livestock and storage. The applicant has confirmed to staff that the structure will not be used as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure will be connected to the existing driveway with a concrete drive. At the time of this report (August 1, 2022), staff has received one letter of opposition.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 14 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

As of the date of this staff report, staff has received one response in opposition.

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

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

1. Ordinance
2. Location Map
3. Site Layout Exhibit
4. Site Plan
5. PON Responses

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Ashlie Jones
Senior Planner
ashlie.jones@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

(18)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-80-2022

MEETING DATE(S)

Planning & Zoning Commission: August 9, 2022

City Council: August 15, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 9, 2022, the Commission voted 5-1 to recommend approval of case number ZDC-80-2022.

CAPTION

Public Hearing on a request by Gregory Nehib, Big Blue Truck, LLC, for a Zoning Change from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: Big Blue Truck, LLC (ZDC-80-2022)

APPLICANT REQUEST

The applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from Single Family Residential-2 (SF-2) district to Central Area (CA) district.

CASE INFORMATION

Applicant: Gregory Nehib, Managing Partner, Big Blue Truck, LLC

Property Owner(s): Big Blue Truck, LLC

Site Acreage: 1.98 acres

Current Zoning: SF-2 – Single Family Residential-2 District

Requested Zoning: CA – Central Area District

SUBJECT PROPERTY

General Location: 206 and 208 North Jackson Street

Parcel ID Number(s): 170695 & 170696

Existing Use: A vacant commercial building (formerly a cabinet shop), and two vacant accessory structures

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Newness of Life Bible Church
East	SF-2	Single Family Residences
South	SF-2	Undeveloped Land
West	CA	George Brown Plaza & Former Police Department

Future Land Use Plan:

Retail

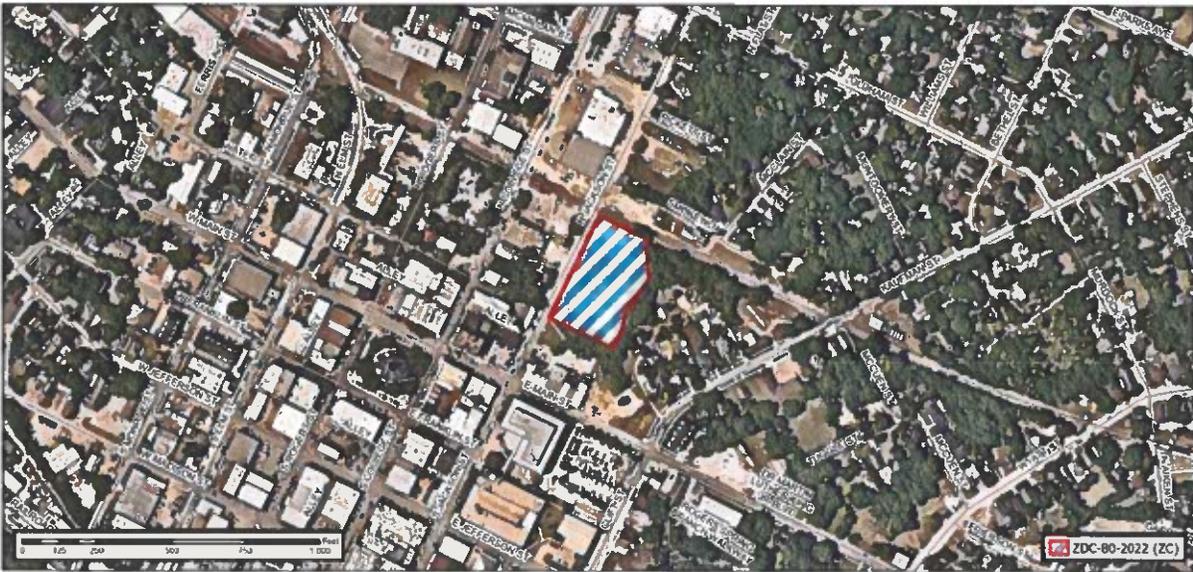
Comprehensive Plan:

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 has frontage onto North Jackson Street, a local street, and not a major thoroughfare on the City's Thoroughfare Plan.

Site Image:



PLANNING ANALYSIS

The Applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from Single Family Residential-2 (SF-2) district to Central Area (CA) district to reuse the existing building (a former cabinet shop) for indoor amusement. The property owner has a prospective tenant who would like to operate a haunted house and a skate park. The prospective tenant has owned and operated a haunted house (Reindeer Manor) in Red Oak, Texas, for the past eight years and is looking to relocate to downtown Waxahachie. The tenants would operate the haunted house in October and use the facility as a skate park for the remainder of the year. Based on Staff's correspondence with the Applicant, they do not plan on making any exterior changes to the building or site improvements. Instead, the prospective tenant intends to make interior changes to occupy the building.

The Applicant is aware that the site is in the Tax Increment Reinvestment Zone #1 (TIRZ), making it eligible for public funding to help the property owner make site improvements and building enhancements. The TIRZ is a special district created by the City to reinvest added tax revenue from new development back into the properties within the TIRZ boundary, which includes downtown. The Applicant chose not to provide further details regarding the proposed indoor amusement uses, such as hours of operation, the number of employees, and potential building and site improvements. A letter of intent from the Applicant is in the attachments for this staff report.

Although the zoning change from SF-2 District to CA District is appropriate, Staff is concerned with the haunted house use and the lack of enhancement or improvements to the existing building. Given the property's proximity to the downtown core, it should contribute to the character and the overall fabric of the downtown area. It is across from the George Brown Plaza and the former Waxahachie Police Department, which plans are underway to repurpose the building for another use. Given the context of the area, the subject property should complement and enhance the surrounding uses to attract and increase activity in downtown. The subject property is an opportunity for incremental change that can significantly improve the northeast edge of downtown, which is ripe for redevelopment. A single project cannot revitalize an entire downtown. However, an ongoing series of projects can. Projects, such as this one, are imperative to creating lasting change and progress in downtown. As such, staff is recommending denial of the proposed zoning request due to its lack of contribution to downtown.

Staff would also like to inform the Commission, City Council, and the property owner that a site plan will be required if the property owner makes any site and building improvements requiring the approval of a site plan. This zoning request does not exempt the property owner from submitting a site plan if it is necessary. Including but not limited to these improvements, the planning department will require a site plan for new construction, the expansion of existing buildings, and the addition of any pavement, such as parking. Depending on the scope of improvements, the property owner may also need the approval of additional permits from various City departments.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 38 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. Staff has received 6 letters of support, 2 letters of opposition, and 1 letter from a correspondent who is undecided.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Ordinance
2. Location Map (Exhibit A)
3. Boundary Survey (Exhibit B)
4. Letter of Intent
5. Use Chart
6. Notification Map
7. Letter of Support/Opposition/Undecided

STAFF CONTACT INFORMATION

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LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Mobile Home									•														2 spaces per unit
Mobile Home Park									•														2 spaces per unit
Modular Prefabricated Structure or Modular Home		S	•	•	•	•	•	•	•														2 spaces per unit
Multiple-Family Dwelling or Apartment							•	•		S		S				•							1.5 / eff., 1, or 2-bed; 2.5 / 3-bed; 3 /4-bed
Single-Family Dwelling, Attached (Townhouse or Townhome)						•	•	•		S		S				•							2 behind front building line, 1 enclosed
Single-Family Dwelling, Detached	•	•	•	•	•																		2 enclosed, behind front building line
Two-Family Dwelling (Duplex)						•	•	•															2 enclosed, behind front building line
Accessory Building, MF or Non-Residential							•	•					S	S	S	S	•	•	•	•	•		
Accessory Building (Residential), Less than 700 S.F.	•	•	•	•	•	•		•															

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																						
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	Parking Requirement	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Accessory Building (Residential), Greater than or Equal to 700 S.F.	S	S	S	S	S	S			S														
Accessory Building, Used as a Dwelling Unit	•	•	•	S	S																		
Garage Accessory Dwelling	•	•	•	S	S																		
Caretaker's or Guard's Residence	•	•	•							S		S						•	•	•	•	•	
Stables, Private	S	S	S															•	•	•			
4.03b - Educational, Institutional, and Special Uses																							
Adult Daycare Facility														•	•	•		•					1/2 employees (maximum shift)
Art Gallery or Museum			S	S	S	S	S	S	S	•		•	•	•	•	•	•	•	•		•		10, +1/300 sq ft over 2000 sq ft
Cemetery, Animal																		•	•	•			1/2 employees (maximum shift)
Cemetery or Mausoleum			S	S	S	S	S	S	S				S	S	S	S	S	S	S	S	S		10 +1 for each 500 sq ft over 5000 sq ft
Child Advocacy Center			S	S	S	S	S	S					S	•	•	•	•						1 space per 300 sq ft

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Child Daycare Center										•		•	S	•	•	•	S	S	S	S		1/10 pupils, + 1/teacher, + 1/bus/van	
Church, Rectory, or Temple	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	1 space per 4 seats in the main venue
College or University			S	S	S	S	S	S					•	•	•	•	•	•	•				1 space per 3 day students
Community Home			•	•	•	•	•	•	•				S	S	S	S	S	S	S				1 space per 6 beds
Crematorium															•	•	•	•	•				2 spaces plus 1 space per 2 employees
Day Camp for Children			S	S	S	S	S	S	S				S	S	•	•	S	S					1/2 employees (maximum shift)
Fairgrounds, Rodeo Grounds or Exhibition Area		S													S	S	S	S	S	S	S	S	10 +1 for each 500 sq ft over 5000 sq ft
Family Home (Child Care)		S	S	S	S	S	S	S	S														Refer to the residential standard
Farm, Ranch, Garden, or Orchard	•	•	•	•	•	•	•	•	•				•	•	•	•	•	•	•	•	•	•	1/2 employees (maximum shift)
Fraternal Organization				S	S	S	S	S					S	S	•	•	•	•	•	•	•	•	1 space per 200 sq ft

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																						
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	Parking Requirement	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Home for Aged, Residence (Assisted Living)			S	S	S	S	•	•	•					S	S	S	S						1/6 beds, +1/1000 sq ft of outdoor uses
Hospital, Acute Care					S	S	S	S						S	S	S	S	S	S				1 space per 2 beds or examination rooms
Hospital, Chronic Care							S	S					S	S	S	S	S	S	S				1 space per 2 beds or examination rooms
Household Care Facility			S	S	S	S	S	S	S														1 space per 6 beds
Institution for Alcoholic, Narcotic, or Psychiatric Patients													S	S	•	•	•	•	•	•			1 space per 2 beds or examination rooms
Institution of Religious or Philanthropic Nature			S	S	S	S	S	S					•	•	•	•	•	•	•				10 spaces plus 1 per employee
Jail or Prison																		S	S	S			1/2 emp (maximum shift), + 1/350 sf intake, +1

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	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
																						visitor/20 inmate beds
Juvenile Detention Center															S		S	S	S	S		1 / 2 employees (maximum shift)
Kindergarten or Nursery School, Private			S	S	S	S	S	S	S				S	S	•	•	S	S	S	S		1/10 pupils, + 1/teacher, + 1/bus/van
Private Recreation Facility	S	S	S	S	S	S	S	S	S				S	S	•	•	•	•	•	•	•	10, + 1/500 sf over 5000 sf of building and rec
Public Community Center		•	•	•	•	•	•	•	•				•	•	•	•	•	•	•	•		10, + 1/500 sf over 5000 sf of building and rec
Rehabilitation Care Facility or Halfway House															S		S					1/2 employees (maximum shift)
Residential Home for Adults with Intellectual and Developmental Disabilities							S	S														1 space per 6 beds
School, Private		S	S	S	S	S	S	S	S				S	S	S	S	S	S	S	S		K-6: 1/15 st; 7-8: 1/12 st; 9-

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
																						12: 1/3 st, and staff	
School, Public	•	•	•	•	•	•	•	•	•	•		•		•	•	•	•	•	•	•		K-6: 1/15 st; 7-8: 1/12 st; 9-12: 1/3 st, and staff	
School, Vocational																•	S	•	•	S	S	S	1 space per 3 day students
Skilled Nursing Facility															S	S	S	S	S	S	S	S	1/6 beds, + 1/1000 sq ft of lot area
4.03c - Commercial and Retail Type Uses																							
Airport		S	S	S	S	S	S	S	S				S	S	S		S	•	•	•	•	Hangar:1/1000 sf; Office:1/300 sf	
Alternative Financial Services																	S	S	S	S		1 space per 200 sq ft	
Ambulance Service																	S	•	•	•	•	1/1000 sf or 1/2 emp, whichever is greater	
Amusement, Indoor										•		•			•	•	•	•	•	•	•	1 space per 100 sq ft	
Amusement, Outdoor															•	•	•	•	•	S		10, + 1/500 sf over 5000 sf of building and rec	

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Animal Hospital or Kennel, Indoor Pens		S											•	•	•	•	•	•	•	•	•	•	1 space per 300 sq ft
Animal Hospital or Kennel, Outdoor Pens		S													S	S	•	S					1 space per 300 sq ft
Animal Pound																	S	•	•	•			1 space per 300 sq ft
Antique Shop										•		•		S	•	•	•	•	•				1 space per 200 sq ft
Appliance Rental, Service or Repair															•	•	•						1 space per 200 sq ft
Arcade										•		•			S	S	•	•	•	•			1/game table, + 1/amusement device
Auto Leasing and Rental															S	S	S	•	•	•	•		1 space per 1000 sq ft of the lot
Auto Parking Lot, Commercial										S		S	S	S	S	S	S	S	S	S	S	S	Per office requirements
Auto Parking Lot, Trucks and Trailers																	S	S	S	S			Per office requirements
Auto Parts and Accessory Sales												•			S		•	•	•	•	•		1 space per 500 sq ft
Auto Racing or Go-Cart Track																		S	S	S			10 spaces, plus 1 space per

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	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
Auto Repair, Major																	S	•	•	•		1 space per 200 sq ft
Auto Repair, Minor or Automotive Care Center															S		•	•	•	•	S	1 space per 200 sq ft
Auto Sales, New															•		•	•	•	•		1/500 sf or 1/1,000 sf lot, which is greater
Auto Sales, Used															S	S	S	•	•	•		1/500 sf or 1/1,000 sf lot, which is greater
Auto Storage or Auto Auction																				S		1 space per 1,000 sq ft of lot area
Auto Wrecking Yard																				S		1 space per 1,000 sq ft of lot area
Bail Bond Agency																S	S					1 space per 200 sq ft
Bakery, Commercial																S	•	•	•		•	1 space per 250 sq ft
Bakery, Retail									•		•		•	•	•	•	•	•			•	1 space per 200 sq ft
Bank or Credit Union									•		•		•	•	•	•	•	•	•	•	•	1 space per 200 sq ft, plus

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(Supp. No. 27)

(18)

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement				
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
																						required stacking
Boat Sales																	S	•	•	•		1 space per 200 sq ft
Building Materials and Hardware Sales, Indoor													S	S	•	•	•				S	2 + 1/300 sq ft over 1,000 sq ft
Building Materials and Hardware Sales, Outdoor															S	S	•	•	•	•	S	2 + 1/300 sq ft over 1,000 sq ft
Bus Station or Terminal															S	S	•	•	•	•		1/1000 sf or 1/2 emp, whichever is greater
Cabinet or Upholstery Shop																S	•	•	•	•	S	1 space per 250 sq ft
Car Wash															S		•	•	•	•		Self Service: 1/bay; Full Service: 1/150 sq ft
Clinic, Dental, Medical, or Chiropractic										•	•	•	•	•	•	•	•	•	•	•	•	1 space per 200 sq ft
Convenience Store										S	S	S	S	S	S	S	S	S	S	S		1 space per 200 sq ft
Copy or Print Shop										•	•			S	•	•	•	•	•	•	•	1 space per 200 sq ft

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(Supp. No. 27)

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																			Parking Requirement			
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2		Heavy Industrial	Airport District	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Country Club, Private		•	S	S	S	S	S	S	S				•	•	•	•	•	•	•	•	•	•	4 /hole + 1/2 emp
Custom Personal Service Shop										•		•	S	•	•	•	•	•	•	•	•	•	1 space per 200 sq ft
Drive-Through Establishment													S	S	S	S	S	S	S	S			See stacking requirements
Dry Cleaning Establishment, Off-Site										•		•					•	•	•	•			1 space per 250 sq ft
Dry Cleaning Establishment, On-Site																	S	•	•	•			1 space per 250 sq ft
Feed and Grain Store																S	•	•	•	•			1 space per 250 sq ft
Flea Market or Farmers Market																	S	•	•	•			1 space per 200 sq ft of floor or sales area
Funeral Home or Mortuary															•	•	•	•	•	•	•	•	1 space per 200 sq ft
Furniture Manufacture and Refinishing Shop																S	•	•	•	•			1/1000 sf or 1/2 emp, whichever is less
Gasoline Sales										S		S			S	S	S	S	S	S			1/3 gas pumps, up to 8

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	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
																						nozzles on 2 sides
Golf Course		S	S	S	S	S	S	S	S				S		S	•	•	•	•	•	•	4/hole + 1/2 emp
Greenhouse, Nursery, Florist or Garden Shop										•		•	S	S	S	•	•	•	•	•	•	1 space per 200 sq ft
Hauling, Storage, or Motor Freight Terminal																	S	S	S	S	S	1/1000 sf or 1/2 emp, whichever is less
Heating and Air Conditioning Sales																S	•	•	•	•		1 space per 500 sq ft
Heavy Machinery and Equipment, Rental, Sales or Storage																	S	S	S	S		1 space per 500 sq ft
Helistop													S	S	S	S	S	S	S	S	•	2 spaces
Household Appliance Service or Repair															•	•	•					2 + 1/300 sq ft over 1,000 sq ft
HUD Code Manufactured Home Display or Sales																		•	•	•		1 space per 250 sq ft
Kiosk										S		S	S	S	S	S	S	S			S	Per zoning (SUP)

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	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
Laboratory, Medical or Dental										S		S				S	S	S	S	S	S	1 space per 300 sq ft
Laboratory, Scientific or Research										S		S				S	•	•	•	•	•	1/2 employees (maximum shift)
Landscape Sales and Installation															S	S	•	•	•	•	S	1 space per 250 sq ft
Laundromat																•	•	•				1 space per 300 sq ft
Massage Establishment													•	•	•	•	•	•	•	•	•	1 space per 200 sq ft
Massage Parlor																	S	S	S	S	S	1 space per 200 sq ft
Medical Appliance Fitting or Retail Sales													S		•	•	•	•	S	S	•	
Medical Facilities										S		S	S	S	S	S	S	S	S	S	S	1 space per 200 sq ft
Metal Recycling Center															S	S	S	S	S	S	S	1 space per 500 sq ft
Micro-Brewery										S		S	S	S	S	S	S	•	•	•	•	1/2 emp + 1/4 seats
Mini-Warehouse or Self-Storage Facility															S		S	•	•	•	S	4 min. + 1/10,000 sf storage

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	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Motel or Hotel (Less than 75 Rooms)										•		•			S	•	•	•	•	•	•	•	1/sleeping room, + for retail or office
Motel or Hotel (More than 75 Rooms)										•		•				•	•	•	•	•	•	•	1 space per sleeping room plus accessory
Office, Professional and Administrative										•		•	•	•	•	•	•	•	•	•	•	•	1 space per 300 sq ft
Outside Display										S		S			S	S	S	S	S	S	S	S	1 space per 600 sq ft of open sales/display
Outside Storage										S		S			S	S	S	S	S	S	S	S	1 space per 600 sq ft of open sales/display
Park or Playground, Private		S	•	•	•	•	•	•	•	S		S	S	S	S	S	S	S	S	S	S	S	1 space per 3 seats
Pawn Shop															S	S	•	•	•	•			1 space per 200 sq ft
Pet Shop and Grooming										•		•		S	•	•	•	•	•	•	•	•	1 space per 200 sq ft
Pharmacy										•		•	S	•	•	•	•					S	1 space per 200 sq ft
Playfield or Stadium, Public		S	S	S	S	S	S	S	S				S	S	S	•	•	•	•	•			1 space per 3 seats

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement				
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
Portable Building Sales															S		S	S	S	S		1 space per 300 sq ft
Private Club										S		S	S		S	S	S	S	S	S	S	1 space per 100 sq ft
Railroad Freight Depot																	S	•	•	•	•	1/1000 sf or 1/2 emp, whichever is less
Restaurant										•		•	•	•	•	•	•	•	•	•	•	1 space per 100 sq ft of seating or waiting area
Retail Stores and Shops										•		•			•	•	•	•	•	•	•	1 space per 200 sq ft
RV Sales																	S	S	S	S		1 space per 200 sq ft
Screen Printing Shop															•		•					1 space per 200 sq ft
Sexually Oriented Business																				•		1 space per 100 sq ft
Small Engine Repair Shop																		•	•	•	•	1 space per 200 sq ft
Specialty Paraphernalia																	S	S	S	S		1 space per 300 sq ft
Stables, Public		S															S	S	S	S		1 space per 3 seats

(18)

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Studio										•	•		S	•	•	•	•	•			•	1 space per 300 sq ft	
Surgical Outpatient Facility										S		S	S	S	S	S	S	S	S	S	S	S	1 space per 200 sq ft
Swimming Pool, Commercial													S	S	S	S	•	•	•	•	•		1/100 sq ft of gross water surface and deck area
Tattoo or Body Piercing Shop																		•					1/200 sq ft or 1.5/artist chair which is greater
Tavern										S		S		S	S	S	S	S	S	S			1 space per 100 sq ft
Theater, Indoor										•	•		S	S	•	•	•	•	•	•	•		1 space per 4 seating spaces
Tire Installation or Repair										S	•				S	•	•	•	•	•	•		1 space per 200 sq ft
Tool and Equipment Rental															•	•	•	•	•	•	•		1 space per 300 sq ft
Trailer and Heavy Load Vehicle Repair																			S	S	S		1 space per 500 sq ft, min 5 spaces
Trailer or Truck Sales or Rental																			S	S	S		1 space per 200 sq ft

Created: 2021-08-17 15:17:43 [EST]

(Supp. No. 27)

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																	Parking Requirement					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial		Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP		
Truck Stop																	S	S	S	S		1 truck/10,000 sf site, + 1/200 sf of building	
Winery										S		S	S	S	•	•	•						1 space per 100 sq ft of seating or waiting area
Zoo, Private		S																					10 + 1/500 sq ft over 5000 sq ft
Zoo, Public		S															S	S	S				10 + 1/500 sq ft over 5000 sq ft
4.03d - Industrial and Utility Uses																							
Animal Production Facility																			S	S			1/1,000 sq ft or 1 space per 2 emp
Antenna, Non-Commercial	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Batch Plant (Permanent Facility)																		S	S	S			1/1,000 sq ft or 1 space per 2 emp
Chemical Plant																				S			1/1,000 sq ft or 1 space per 2 emp

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A.3 for use definitions	Zoning Districts																					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	Parking Requirement
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
Electrical Generating Plant	S	S							S				S	S	S	S	S	S	S	S	S	1/1,000 sq ft or 1 space per 2 emp
Equipment Sales, New or Used																		S	S	S		1 space per 500 sq ft
Food Manufacturing or Processing Plant																S	S	S	S	S	S	1/1,000 sq ft or 1 space per 2 emp
Franchised Private Utility (Not Listed)	S	S	S	S	S	S	S	S	S				S	S	S	S	S	S	S	S	S	1/1,000 sq ft or 1 space per 2 emp
Heavy Manufacturing, Fully Indoor																		S	S	S	S	1/1,000 sq ft or 1 space per 2 emp
Heavy Manufacturing, Out door																				S		1/1,000 sq ft or 1 space per 2 emp
Landfill																				S		1/300 sq ft of office
Light Manufacturing												S					•	•	•	•	•	1/1,000 sq ft or 1 space per 2 emp
Local Utility Lines	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	
Machine Shop or Welding Shop																		•	•	•		1/1,000 sq ft or 1 space per 2 emp

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																		Parking Requirement			
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1		Light Industrial-2	Heavy Industrial	Airport District
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
Medium Manufacturing, Fully Indoor																		•	•	•	•	1/1,000 sq ft or 1 space per 2 emp
Medium Manufacturing, Outdoor																		S	S	S	S	1/1,000 sq ft or 1 space per 2 emp
Municipally-Owned Facilities and Uses	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	1/1,000 sq ft or 1 space per 2 emp
Noxious Uses																		S	S	S	S	1/1,000 sq ft or 1 space per 2 emp
Portable Storage Structure or Temporary Building	•	•	•	•	•	•	•	•	•					•	•	•	•	•	•	•	•	1/2000 sq ft + main use
Public Building, Shop, or Yard of a Local, State, or Federal Agency	S	S													S		•	•	•	•	•	1/1,000 sq ft or 1 space per 2 emp
Public or Private Utility Shop or Storage																		•	•	•	•	1/1,000 sq ft or 1 space per 2 emp
Railroad Track	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Sand, Gravel, Stone or Petroleum Extraction																		S	S	S		1/1,000 sq ft or 1 space per 2 emp

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	Parking Requirement
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
Storage Warehouse																S	•	•	•	•	S	1/1,000 sq ft or 1 space per 2 emp
4.03e - Accessory, Incidental and Sign Uses																						
Awning Sign										•		•	•	•	•		•	•	S	•	•	
Canopy Sign										•		•			•		•	•	S	•	•	
Development Sign		•	•	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	
Directional Sign (On-Site)							•	•	•				•	•	•	•	•	•	•	•	•	
Electronic Message Sign										S		S	S	S	S	S	S	S	S	S	S	
Garage Sale Sign	•	•	•	•	•	•	•	•	•				•	•	•	•	•	•	•	•	•	
Informational Sign	•	•	•	•	•	•	•	•	•				•	•	•	•	•	•	•	•	•	
Institutional Sign	•	•	•	•	•	•	•	•	•				•	•	•	•	•	•	•	•	•	
Model Home Sign			•	•	•	•	•	•	•													
Monument Sign							•	•	•			•	•	•	•		•	•	•	•	•	
Name Plate	•	•	•	•	•	•	•	•	•				•	•	•	•	•	•	•	•	•	
Off-Street Parking Incidental to Main Use	•	•	•	•	•	•	•	•	•			•	•	•	•	•	•	•	•	•	•	
Pole Sign																	S	S	S			
Portable Sign								•	•				•	•	•		•	•	•			
Real Estate Sign	•	•	•	•	•	•	•	•	•				•	•	•	•	•	•	•	•	•	
Searchlights															•	•	•	•	•			
Small Wind System	S		S	S	S													S	S	S		
Solar Panel Farm	S																			S		

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	Parking Requirement
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MUNR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
Solar Panel System, Large In-Ground	S	S															S	S	S	•		
Solar Panel System, Rooftop	•	•	•	•	•	•	•	•	•	S		S	S	S	S	S	S	S	S	S	S	
Solar Panel System, Small In-Ground	•	•	•	•	•	•	•	•	•				S	S	S	S	S	S	S	•		
Unified Lot Sign	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S	S	S	S
Wall Sign										•		•	•	•	•	•	•	•	•			
Window Sign										•		•	•	•	•	•	•	•	•			

(Ord. No. 3175 , § 3, 1-21-20)

Name: Greg Nehib, Managing Partner, Big Blue Truck

Address: 1023 W Main St. Waxahachie, TX

Phone No.: 972 839-9441

RE: ZDC-80-2022 Big Blue Truck, LLC (owner), for Reindeer Manor (tenant)

Big Blue Truck, LLC is requesting to rezone 206, 208 and 210 N Jackson St. from residential to commercial in order to remedy a past zoning error. This property has been commercial for over 100 years and has been used commercially as a church furniture factory, a cabinet shop and as storage. In an effort to prepare the site for the next tenant, Reindeer Manor, we are seeking to have this property recognized formally as a part of the historic Downtown District and become a part of the Central Area as it is marked that way on many City produced maps. Ellis County and all local utilities recognize this property as Commercial today. We pay tax and utilities based on the commercial rates.

Reindeer Manor, the new tenant, is proposing to use this property as a seasonal haunted house and skate park. Reindeer Manor operated successfully for over 40 years in Red Oak. They lost their lease in Red Oak at the end of the 2021 season when the old location was sold for a large residential housing development. The owners of Reindeer Manor have leased 210 N Jackson and the adjoining yard behind 208 and 206 N Jackson for this venture. The owners of Reindeer Manor also moved to Waxahachie and now reside on Main St.

We are proposing to divide this project into 2 parts:

1. Re-Zoning and correcting zoning issues led by Big Blue Truck, LLC
2. Business Review, Site Plans, Building Drawings and Permit Applications from Reindeer Manor

Once we pass the re-zoning and enter Reindeer Manor's portion of the project, they agree to provide you with project details including:

- Operational Information for both the haunted house and the skate park:
 - Hours of Operation
 - No. of Employees
 - Peak attendance times for both the skate park and the haunted house
 - Exterior and interior improvements anticipated for the building, to operate for both of these uses, including plans and permit applications as required
 - Fire safety precautions/procedures for the haunted house
 - Food Service Plans including Where? When? How?
 - Timeframe for being operational on both of these businesses
- Graphic depiction of site utilization

(18)

Based on phone conversations between Big Blue Truck and the City, the stated desire is to have this property included in the street parking, parking garage and City parking lot plans for downtown. It is also important to note that the building at 210 N Jackson has an existing, inspected, fully operational sprinkler system with a marked SPKR nozzle on Jackson St. This should address all major comments on the survey for the purpose of zoning. Comments sent to Big Blue Truck, LLC related to building use, site plan, fire safety and building permits will be addressed at a later date by Reindeer Manor.

Both parties agree to decouple the zoning change from the haunted house and skate park permitting process. Regardless of the City's intent on the haunted house and skate park, Big Blue Truck, LLC is requesting that the City re-zone 206, 208 and 210 N Jackson St. to commercial and make it a recognized part of the Downtown District, Central Area.

Regards,

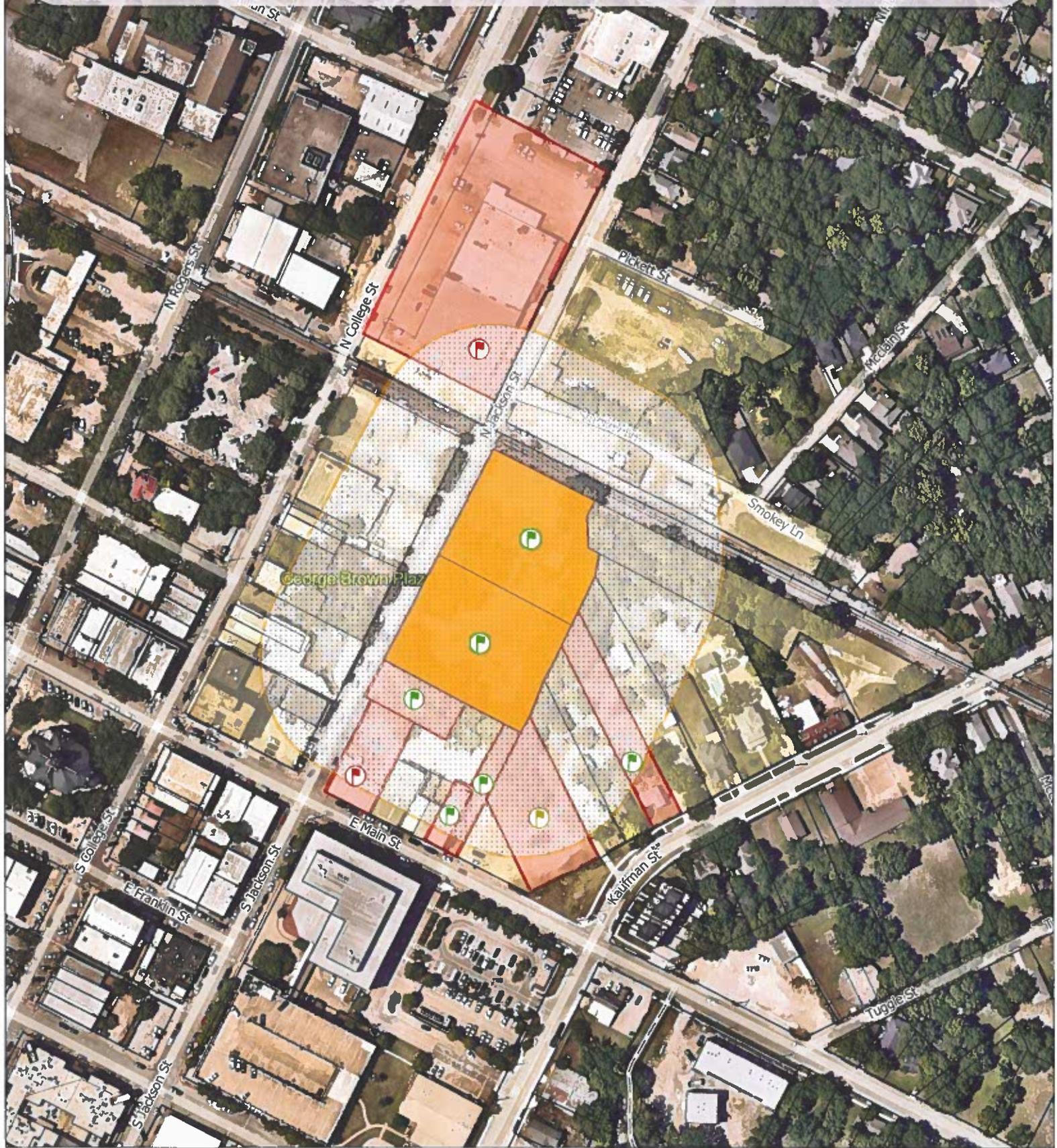
Greg Nehib

Managing Partner, Big Blue Truck, LLC

ZDC-80-2022 - Single Family-2 to Central Area PON Response Exhibit

(18)

- Support (6 shown)
- Opposition (2 shown)
- Undecided (1 shown)
- ZDC-80-2022
- 200ft Notification Buffer
- Responding Properties (5.2751 Acres)
- Properties Within Buffer
- Property Lines



(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-80-2022

201 MAIN WAX LLC
6982 WALLING LN
DALLAS, TX 75231

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nehib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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

Case Number: ZDC-80-2022

City Reference: 170540

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

IF THIS RE-ZONING IS APPROVED IT WILL IMPINGE ON OUR PROPERTY AND NEGATIVELY IMPACT OUR TENANTS

Bill Bell

Signature

8-2-2022

Date

BILL BELL, MANAGING MEMBER

Printed Name and Title

201 E MAIN ST, WAXAHACHIE
Address
6982 WALLING LN, DALLAS TX

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

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



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: 274682

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nehib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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: _____ for additional information on this request.

Case Number: _____

City Reference: 274682

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

Comments: SUPPORT OPPOSE

Signature: lyates
Printed Name and Title: Leninda Yates / Member

Date: 8-1-22
Address: PO Box 2868 Wax. 75168

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

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



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-80-2022
◇◇◇

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nehib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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: for additional information on this request.

Case Number:

City Reference: 170695

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

Comments: SUPPORT OPPOSE

L. Yates
Signature

8-1-22
Date

Lorinda Yates / Member
Printed Name and Title

P.O. Box 2363 Wax. 75168
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.

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: 279746

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nchib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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: for additional information on this request.

Case Number: 279746

City Reference: 279746

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 11, 2022 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

lyntes
Signature

8-1-22
Date

Lorinda Lyntes / Member
Printed Name and Title

P.O. Box 2868
Address
Wax. 75168

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.

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: 170696

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nchib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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: for additional information on this request.

Case Number: 170696

City Reference: 170696

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

SUPPORT

OPPOSE

Comments:

Lydia Yates
Signature
Lynda Yates / Member
Printed Name and Title

8-1-22
Date
PO Box 2868
Address
Wax 75168

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.

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: 170539

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nehib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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: for additional information on this request.

Case Number: 170539

City Reference: 170539

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 10, 2022 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments: SUPPORT OPPOSE

Signature: W Yates
Printed Name and Title: Lorinda Yates/Member

Date: 8-1-22
Address: P.O. Box 2868
Wax. 75168

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

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

Case Number: ZDC-80-2022

City Reference: 170777

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 2, 2022* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Not Sure

Comments:

What are the economic advantages of a ~~6~~ Haunted House versus the trash and vandalism aspects?

Morgan Fogarty
Signature

8-1-22
Date

Morgan Jane Fogarty
Printed Name and Title

4074 Windmill Ridge Circle
Address

Managing Member of Fogarty Holmes LLC

Rock, TX 75154

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.

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-80-2022**

BEG PARTNERS LLC
200 S ELM ST
WAXAHACHIE, TX 75165

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Case Number: **ZDC-80-2022**

City Reference: 234893

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SUPPORT OPPOSE

Comments: CA zoning needs to be expanded

Dusty Aubrey
Signature

8-8-22
Date

Dusty Aubrey-owner
Printed Name and Title

109 Kaufman Way tx
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.

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-80-2022



TREND DEVELOPMENT CO
308 N COLLEGE ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-80-2022

City Reference: 170654

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Brett Hess

Signature

1215 Crossing LLC
BRETT HESS

Printed Name and Title

Date

327 Blue Ribbon Rd

Address

WAXAHACHIE, TX 75165

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

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

(18)

Brett Hess
Business Owner/ Realtor/ Landlord

To Whom it May Concern,

As a local business owner within 100 feet of the proposed zoning change of the property located at 206 and 208 S Jackson St from Commercial to a Haunted House and Skate Park, I must strongly oppose this change. While not inherently disagreeing with an area for youths to spend their time, I do not believe this location is appropriate for them or the surrounding properties. The location poses several risks of trespassing, liability issues, and exposure issues.

In regard to our property located at 301 College and known as the CA Wilson building, we will soon be investing 1.6 million dollars into our building and parking lot. With the closeness of a skate park and a haunted house it would not be unexpected that activities would spill over into our property. This could be parking, drop off by parents for youths, skating, or using it as egress to and from this location to other adjacent parking lots. Parking alone for a haunted house could range up to at least 100 people at any given time. This would create congestion and illegal parking issues for all local businesses and homeowners. These issues would hinder our business the opportunity to obtain quality tenants and create safety concerns. Secondly, we will soon be proposing a high end residential project on Jackson Street and taking a risk in that. The adjacent use would certainly hinder this investment of another 1.8 million for an 18 unit craftsman style multi family project expanding the downtown living corridor.

I believe the city has a tremendous prospect in the old police station with the use being an Italian eatery and retail store. Their parking lot would be significantly affected if the use is approved and hinder the success of a project that I would suspect has significant investment.

Furthermore, being located directly across the street to a splash pad for toddlers and young children. A Haunted house is not appropriate. The property also backs up to several residential homes. The noise and crowd would be disturbing and considering it would be day and night with the skate park being occupied most of the day and the haunted house likely beginning only after dark, the area would be constantly noisy and crowded.

The area has no established cross walks or sidewalks, It is adjacent to an active train track, near the bars and pubs in the local area, backing directly into new homes, and would not be large enough to provide adequate parking for the intended use. The police station being changed to a small Italian restaurant is more suited to the area. Something of more moderate activity and noise that could be contained within the property, as a commercial property, remains the most appropriate use.

To reiterate, while not opposed to a skate park or a Haunted house, this area is not appropriate for such use. The type of quality investment into the downtown corridor that me and my partners are making and proposing to make, is more in line with the downtown overlay and strategic plan of the city's vision than a haunted house and skate park.

(18)

Please see attached Character Districts Overlay of this area and an example of the multi family project we will soon be proposing.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Hess". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Brett Hess

(18)

EXHIBIT A

Proposed
multifamily
examples.



Example of elevation for CA Wilson building



(19)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY RESIDENTIAL-2 (SF-2) DISTRICT TO CENTRAL AREA DISTRICT (CA) LOCATED ON 206 AND 208 NORTH JACKSON STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.98 ACRES KNOWN AS PROPERTY ID 170695 AND 170696, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-80-2022. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF-2 to CA; and

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

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

NOW, THEREFORE, this property is rezoned from SF-2 to CA on the following properties: Property ID 170695 and 170696, which is shown on the location map (Exhibit A), boundary survey (Exhibit B), and staff report (Exhibit C).

ZONING CHANGE

The subject property shall develop in accordance with the "CA" Central Area District and as follows:

1. All development on land located within the boundaries of this zoning change shall adhere to the rules and regulations set forth in the City of Waxahachie Municipal Code of Ordinances.
2. All development within the subject property will be subject to obtaining permits from the City in accordance with the City's applicable rules and regulations governing such permits.

3. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Code of Ordinances.

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

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

PASSED, APPROVED AND ADOPTED on this 15th day of August, 2022.

MAYOR

ATTEST:

City Secretary



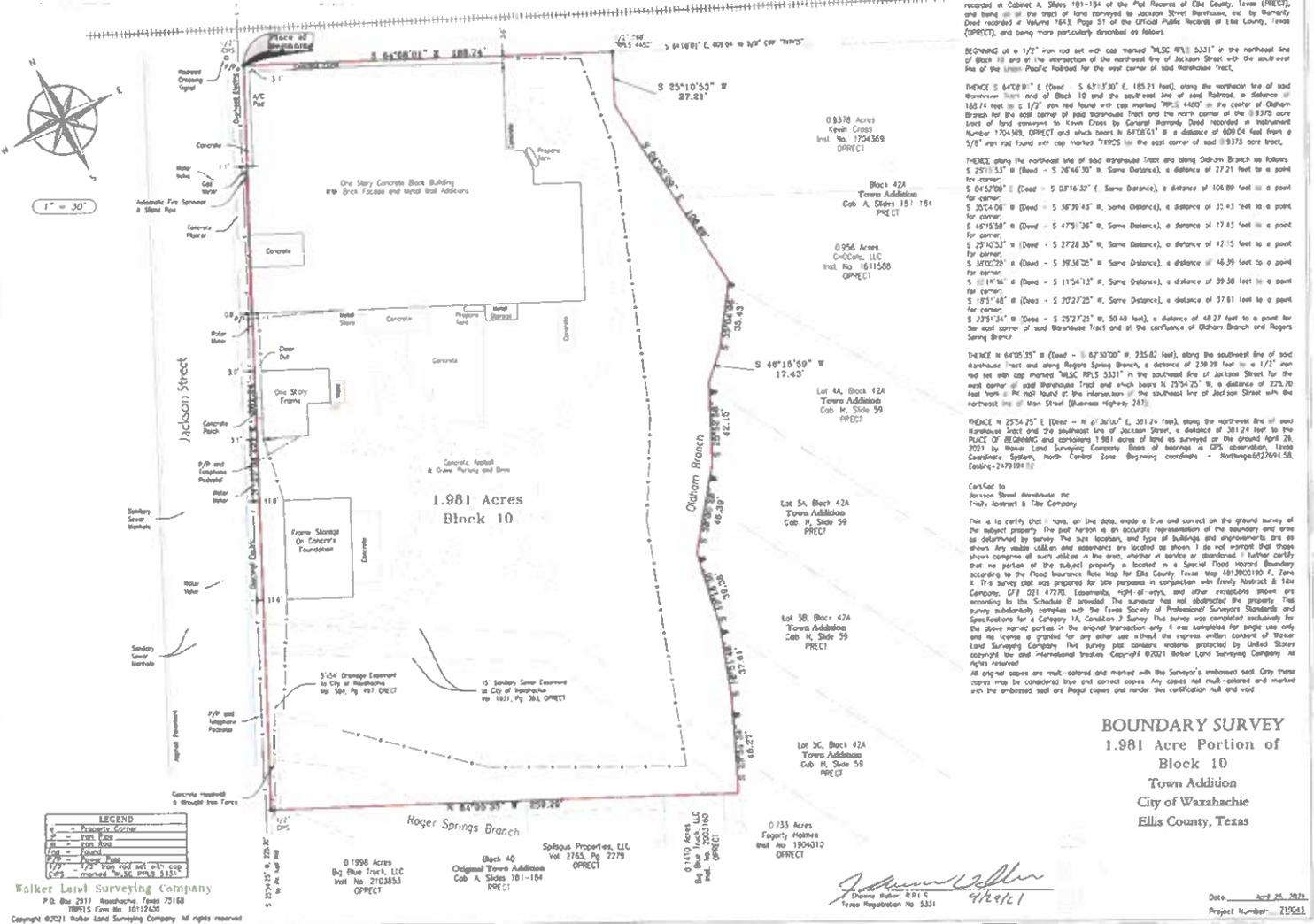
Exhibit A - Location Map

0 125 250 500 750 1,000 Feet

ZDC-80-2022 (ZC)

(19)

Exhibit B - Boundary Survey



Walker Land Surveying Company
P.O. Box 2811 Waxahachie, Texas 75168
TSPS Form No. 101-2420
Copyright © 2021 Texas Land Surveying Company. All rights reserved.

(20)



Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager

Date: August 10, 2022

Re: Consider Setting Proposed Tax Rate and Dates for Public Hearing

As part of the annual budget process, Chapter 26 of the Property Tax code requires taxing units to comply with truth-in-taxation laws in adopting their tax rates. This item meets the requirement for the City Council to set the proposed rate for future consideration and adoption, set the public hearing date and time, and place an item on a future Council agenda to vote on the tax rate necessary to fund the Fiscal Year (FY) 2023 Annual Budget.

The FY 2023 Proposed Budget includes a proposed tax rate of \$0.63000, which is a decrease of three cents from the current rate. The proposed tax rate recommended in the FY 2023 Budget is to provide additional funding for operating costs to keep up with growth and to fund capital needs throughout the City. The proposed rate exceeds the no-new-revenue rate of \$0.540834 but does not exceed the voter-approval tax rate of \$0.630350. When the proposed rate exceeds the no-new-revenue rate, state statute requires a public hearing be held on the proposed tax rate, specific publications, and dates of scheduled adoption.

Staff recommends taking a record vote to propose an ad valorem tax rate of \$0.630000 for FY 2023 and schedule a public hearing on Tuesday, August 30 at 5:30 PM. The City Council will consider adoption of the tax rate for FY 2023 on September 6 at 7:00 PM. Both meetings will be held in City Council Chambers, 401 S. Rogers St.