

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Monday, April 15, 2024 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 April 8, 2024
- b. Minutes of the City Council Work Session of April 11, 2024
- c. Event application for Fun Food Drive to be held at Getzendaner Park Pavilion on April 28, 2024
- d. Event application for outdoor concert at Railyard Park on May 15, May 22, and May 29, 2024
- e. Event application for Police Memorial at Pocket Park on May 15, 2024
- f. Event application for Crape Myrtle Festival and Parade on July 3-4, 2024
- g. Event application for 1st Annual Back to School Health Fair at Lee Penn Park on August 10, 2024
- h. Proposed Ordinance approving a request by Gregory Boston, for a Petition for ETJ Release for approximately 10.23 acres, located south of 141 Mustang Road (Property ID 180992) – Owner: Gregory Boston (ETJ-PTN-43-2024)
- i. Proposed Ordinance approving a request by William D. Collard Jr., for a Petition for ETJ Release for approximately 11.668 acres, located at 3230 S US Highway 77 (Property ID 223318) – Owner: William D. Collard Jr. (ETJ-PTN-44-2024)

- j. Proposed Ordinance approving a request by Robert Shierk & Sandra Shierk, for a Petition for ETJ Release for approximately 9.282 acres, located at 1022 W. Woodridge Rd. (Property ID 154525 & 154516) Owner: Robert D. Shierk & Sandra Shierk (ETJ-PTN-50-2024)
 - k. Proposed Ordinance approving a request by David McDill, for a Petition for ETJ Release for approximately 6.378 acres, located at 1643 Gibson Rd. (Property ID 219173) – Owner: Miriam Hernandez & Jaime Andrade (ETJ-PTN-52-2024)
 - l. Film Production/Street Closure for News Nation Project
 - m. Award of a contract for City janitorial services
6. **Introduce** Honorary Councilmember
 7. **Present** Proclamation recognizing April 15, 2024 as “Texas Rangers’ Day” in Waxahachie
 8. **Public Hearing** on a request by Ido Pistiner, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023)
 9. **Consider** proposed Ordinance approving ZDC-190-2023
 10. **Public Hearing** on a request by Brad Yates, for a Replat of Lot 4, Block 1 of the Nora Alexander’s Subdivision, to create Lots 4A and 4B, Block 1 of the Nora Alexander’s Subdivision, 2 residential lots, being 0.2695 acres, located at 500 Farley Street (Property ID: 172064) – Owner: Loren Gray Investments LLC (SUB-29-2024)
 11. **Consider** approval of SUB-29-2024
 12. **Public Hearing** on a request by Joseph Flournoy, Energy Renovation Center, for a Replat of a portion of Lot C, Block 232 of the Original Town of Waxahachie, to create Lots C1 & C2, Block 232 of the Original Town of Waxahachie, 2 residential lots, being 0.418 acres, located at 103 Elder Street (Property ID 171557) – Owner: Energy Renovation Center Inc. (SUB-49-2024)
 13. **Consider** approval of SUB-49-2024
 14. **Public Hearing** on a request by Leslie Ford, Ofi Chito, for a Specific Use Permit (SUP) for a Drive-Thru use within a Light Industrial-1 (LI-1) zoning district located directly east of 150 West Butcher Road (Property ID 284633) - Owner: Crux Jefferson, LLC (ZDC-21-2024)
 15. **Consider** proposed Ordinance approving ZDC-21-2024
 16. **Consider** Development Agreement for ZDC-21-2024
 17. **Consider** a construction contract for the emergency construction of water main casing and water main on FM664 Project

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

19. Adjourn

The City Council reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. 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
April 1, 2024

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, April 1, 2024 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
Terry Welch, 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

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

4. Public Comments

Sam Hargers, 103 Water View Parkway, Red Oak, Texas, inquired about the approval of his event application request for a Community Assessment on April 27, 2024.

5. Consent Agenda

- a. Minutes of the City Council meeting of March 18, 2024
- b. Event application for Royal Raffle & 5k Fun Run to be held April 27, 2024 at Chapman Park
- c. Event application for Jesus Rally to be held May 10, 2024 at Railyard Park
- d. Event application for 7th Annual Waxahachie Police Department Cops and Kids Picnic to be held May 11, 2024 at Getzendaner Park
- e. Authorize the use of Roadway Impact Fees to Fund FM 664 Right-of-Way Purchase
- f. Supplemental appropriation of \$158,257.80 for the Mid-Way Regional Airport Automated Weather Observation System (AWOS)
- g. Supplemental appropriation of \$153,620 for the Mid-Way Regional Airport business plan
- h. Consider construction contract in the amount of \$140,434.14 for the Oak Lawn Park Lighting Project

(5a)

Action:

Billie Wallace moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Travis Smith and carried unanimously (5-0).

6. Introduce Honorary Councilmember

Council Member Patrick Souter introduced David Smith as the Honorary Councilmember for April. David Smith composes original cowboy poems and recites them throughout Texas and New Mexico. He performs at cowboy gatherings, schools, nursing homes, clubs, churches, and at the Fort Worth Stockyards Rodeo, wherever the love of the cowboy way of life thrives. He writes of cattle drives, cowboy characters and life in the rugged West. Mr. Smith has published three books and one CD of cowboy poetry and is a proud member of the International Western Music Association. He was commissioned to create and perform three poems for Ellis County Historical Marker dedication commemorating the Shawnee Cattle Trails, the Cotton Industry, and the City of Old Bardwell. David has placed three times in Sims Library's Irene Emerson Poetry Writing Contest. He was inducted into the WHS Ex-Student's Association Fine Arts Hall of Fame in 2020.

Besides writing and performing cowboy poetry, David teaches and encourages new generations of Waxahachie ISD 4th and 7th grade poets to write their own poetry for the youth poetry competition. He teaches Sunday school regularly at the First United Methodist Church and served as Docent for the Dallas Museum of Art for 15 years.

Retired from the flooring business he owned with his father for 42 years, David and his high school sweetheart wife, Pat, have two children, and three grandchildren. They reside in Waxahachie where he and Pat have organized three Waxahachie Cowboy Gatherings.

7. Present Proclamation recognizing April as "Cowboy Poetry Month"

Mayor David Hill read a proclamation recognizing April as "Cowboy Poetry Month" and invited the community to attend the 3rd Annual Waxahachie Cowboy Gathering on April 13, 2024. Council Member Souter presented David Smith with a plaque designating him as the "Waxahachie Cowboy Poet Lariat."

8. Recognize the Parks and Recreation Department for receiving the "Keep Waxahachie Beautiful Award" presented at the Waxahachie Chamber of Commerce 96th Annual Excellence Awards Banquet

Gumaro Martinez, Executive Director of Parks and Leisure Services, recognized the Parks and Recreation Department along with the Beautification team, for receiving the "Keep Waxahachie Beautiful Award" from the Waxahachie Chamber of Commerce.

9. Public Hearing on a request by Brad Yates, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-3 (SF-3) zoning district located at 804 Dunaway Street (Property ID 172305) - Owner: Graily Holdings, LLC (ZDC-30-2024)

The Item was presented by Senior Director of Planning Jennifer Pruitt. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 64 notices were mailed to property owners within 500 feet of the subject property as required in Section 3.27 of the City's Zoning Ordinance. A total of eight (8) letters in support were received by staff, with four (4) letters being inside the 200' buffer, and the remainder outside of the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Mayor Hill opened the Public Hearing at approximately 7:16 p.m.

Mayor Pro Tem Chris Wright asked when the property began operating as a short-term rental and owner Brad Yates stated he has documentation the property began operating in 2022.

Council Member Patrick Souter asked if the property is managed locally and Mr. Yates confirmed it is.

There being no others to speak for or against ZDC-30-2024, Mayor Hill closed the Public Hearing at approximately 7:20 p.m.

10. Consider proposed Ordinance approving ZDC-30-2024

ORDINANCE NO. 3470

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY DWELLING 3 (SF-3) ZONING DISTRICT LOCATED AT 804 DUNAWAY STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.149 ACRES KNOWN AS PROPERTY ID 172305, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Billie Wallace moved to approve the ordinance for ZDC-30-2024, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report and authorize the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

11. Public Hearing on a request by Robin Bean, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Commercial (C) zoning district located at 404 West Jefferson Street (Property ID 170504) - Owner: Robin Bean (ZDC-34-2024)

The Item was presented by Ms. Pruitt. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 85 notices were mailed to property owners within 500 feet of the subject property as required in Section 3.27 of the City's Zoning Ordinance. A total of thirteen (13) letters of support were received by staff, with five (5) letters inside the 200' buffer, and the remainder outside the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Mayor Hill opened the Public Hearing at approximately 7:22 p.m.

Mayor Pro Tem Wright asked when the property began operating as a short-term rental and owner Robin Beans stated she has documentation the property began operating in June 2023.

There being no others to speak for or against ZDC-34-2024, Mayor Hill closed the Public Hearing at approximately 7:24 p.m.

12. Consider proposed Ordinance approving ZDC-34-2024

ORDINANCE NO. 3471

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A COMMERCIAL (C) ZONING DISTRICT LOCATED AT 404 WEST JEFFERSON STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.138 ACRES KNOWN AS PROPERTY ID 170504, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Billie Wallace moved to approve the ordinance for ZDC-34-2024, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report and authorize the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Travis Smith and carried unanimously (5-0).

13. Public Hearing on a request by Chad Adams, for a Zoning Change from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a Planned Development – Single Family – 1 (PD-SF-1) zoning district (Hightower), located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022)

Mayor Hill announced the Planning and Zoning Commission moved to continue the Public Hearing to the May 6, 2024 Council Meeting.

Action:

Billie Wallace moved to continue the Public Hearing for ZDC-128-2022 to the May 6, 2024 City Council meeting. Motion was seconded by Chris Wright and carried unanimously (5-0).

14. Consider proposed Ordinance approving ZDC-128-2022

No action taken.

15. Public Hearing on a request by Asher Oren, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-43 Single-Family Dwelling-3 (PD-43-SF-3) zoning district located at 215 Nottingham Drive (Property ID 220875) - Owner: Nottingham Estates, LLC (ZDC-15-2024)

The Item was presented by Ms. Pruitt. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 119 notices were mailed to property owners within 500 feet of the subject property as required in Section 3.27 of the City's Zoning Ordinance. A total of nineteen (19) letters of opposition have been received by staff, with six (6) letters being inside the 200' buffer, and the remainder outside of the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Mayor Hill opened the Public Hearing at approximately 7:30 p.m.

Those who spoke in opposition:

Jiri Moor, 205 Nocona, Waxahachie, Texas

Belinda Douglas, 211 Nocona, Waxahachie, Texas

Mark Hunter, 325 Osage Drive, Waxahachie, Texas

Jon Moor, 205 Nocona, Waxahachie, Texas

Clara Donte, Owner, Plano, Texas, shared the procedures and protocols for operating a safe short-term rental and noted the typical reasons renters utilize short term rentals.

Council Member Billie Wallace asked if the property is managed locally in Waxahachie and Ms. Donte explained issues would be directed to the property management company who is available 24/7, but there is not a representative that lives locally in Waxahachie.

Mayor Pro Tem Wright asked when the property began operating as a short-term rental and Ms. Donte stated the property began operating in October 2023. Mr. Wright explained the moratorium ordinance was passed in July 2023; therefore, the short-term rental was operating in violation of that ordinance.

Council Member Travis Smith asked when the owner contacted the City for information regarding short-term rentals and it was noted the owner contacted staff in March 2023, at which time there were no regulations in place.

Council Member Patrick Souter stated the opposition responses received from the residents identified concerns of safety and not knowing the individuals coming and going from the short-term rentals in their neighborhood.

There being no others to speak for or against ZDC-15-2024, Mayor Hill closed the Public Hearing at approximately 8:06 p.m.

16. Consider proposed Ordinance approving ZDC-15-2024

Action:

Chris Wright moved to deny the ordinance for ZDC-15-2024, a Specific Use Permit for a Short-Term Rental use. Motion was seconded by Patrick Souter and carried unanimously (5-0).

17. Public Hearing on a request by Asher Oren, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single-Family Dwelling-1 (PD-

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SF-1) zoning district located at 213 Nocona Drive (Property ID 221855) - Owner: CTO Estates, LLC (ZDC-18-2024)

The Item was presented by Ms. Pruitt who noted the property has been operating since approximately December 2022. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 97 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. A total of twenty-six (26) letters in opposition have been received by staff, with four (4) letters being inside the 200' buffer, and the remainder outside of the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Council Member Smith asked if the contact person for this property is a permanent resident that lives within 20 miles of the property. Ms. Pruitt confirmed during the review process, the applicant provided a local emergency contact who lives within 20-mile radius of the short-term rental property. Ms. Donte provided an address for the emergency contact person located in Lancaster, Texas.

Council Members explained the crafting of the short-term rental ordinance was to establish rules, regulations, and provide a public hearing to allow citizens to speak.

Mayor Hill opened the Public Hearing at approximately 8:17 p.m.

Those who spoke in opposition:

Perry Estepp, 215 Sioux Drive, Waxahachie, Texas
Shawna McGrady, 227 Nocona Drive, Waxahachie, Texas
Robert Franks, 217 Nocona Drive, Waxahachie, Texas
Leighton McGrady, 227 Nocona Drive, Waxahachie, Texas
Barbara Jacobs, 216 Sendero Drive, Waxahachie, Texas
Dave Jacobs, 216 Sendero Drive, Waxahachie, Texas

There being no others to speak for or against ZDC-18-2024, Mayor Hill closed the Public Hearing at approximately 8:37 p.m.

18. Consider proposed Ordinance approving ZDC-18-2024

Action:

Billie Wallace moved to deny the ordinance for ZDC-18-2024, a Specific Use Permit for a Short-Term Rental use. Motion was seconded by Patrick Souter and carried unanimously (5-0).

19. Public Hearing on a request by Asher Oren, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-2 (SF-2) zoning district located at 105 Brandy Lane (Property ID 175032) - Owner: Gavriel Taub (ZDC-19-2024)

The Item was presented by Ms. Pruitt who noted the property has been operating since approximately April 2022. To comply with State law contained in Local Government Code

Chapter 211 and the City's public hearing notice requirements, 88 notices were mailed to property owners within 500 feet of the subject property as required in Section 3.27 of the City's Zoning Ordinance. A total of twenty (20) letters in opposition have been received by staff, with five (5) letters being inside the 200' buffer, and the remainder outside of the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Mayor Hill opened the Public Hearing at approximately 8:40 p.m.

Those who spoke in opposition:

Cathy Morrill, 209 Johnston Boulevard, Waxahachie, Texas

Randy Dickson, 207 Johnston Boulevard, Waxahachie, Texas

Dee Clemens, 400 Johnston Boulevard, Waxahachie, Texas

Mayor Pro Tem Wright noted public complaints about multi-vehicle parking were identified at the Planning and Zoning Commission meeting.

Gavriel Taub, owner, requested approval of the property and explained he currently lives in California. He stated the property is managed by Goldnest and the occupancy of the rental is monitored and no issues have been reported.

There being no others to speak for or against ZDC-19-2024, Mayor Hill closed the Public Hearing at approximately 8:58 p.m.

20. Consider proposed Ordinance approving ZDC-19-2024

Action:

Billie Wallace moved to deny the ordinance for ZDC-19-2024, a Specific Use Permit for a Short-Term Rental use. Motion was seconded by Patrick Souter and carried unanimously (5-0).

21. Consider proposed resolution of support to construct State Highway Spur 394 from FM 877 to IH 35E

The Item was presented by Senior Director of Public Works and Engineering Justin Stoker.

RESOLUTION NO. 1362

A RESOLUTION OF THE CITY OF WAXAHACHIE SUPPORTING THE CONSTRUCTION OF STATE HIGHWAY SPUR 394 FROM FM 877 TO IH 35E

Action:

Billie Wallace moved to approve the resolution of support for the construction of State Highway Spur 394 from FM 877 to IH 35E. Motion was seconded by Travis Smith and carried unanimously (5-0).

22. Convene into Executive Session for:

(5a)

- a. **Deliberate the employment, evaluation, and duties of the City Secretary as permitted by Texas Government Code, Section 551.074**
- b. **Consultation with City Attorney to seek legal advice as permitted by Texas Government Code, Section 551.071**

Mayor Hill announced at 9:01 p.m. the City Council would convene into Executive Session for:

- a. Deliberate the employment, evaluation, and duties of the City Secretary as permitted by Texas Government Code, Section 551.074
- b. Consultation with City Attorney to seek legal advice as permitted by Texas Government Code, Section 551.071

23. Reconvene and take any necessary action

The meeting reconvened at 9:50 p.m.

Action:

Billie Wallace moved to approve the contract for the City Secretary pursuant to the discussion and agreement by City Council. Motion was seconded by Travis Smith and carried unanimously (5-0).

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

City Manager Michael Scott announced the City Council Retreat will be held Thursday, April 11th at 8:30 a.m. at the Civic Center.

25. Adjourn

There being no further business, the meeting adjourned at 9:51 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5b)

City Council
April 11, 2024

A Work Session of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, Crape Myrtle Room, 2000 Civic Center Lane, Waxahachie, Texas on Thursday, April 11, 2024 at 8:30 a.m.

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

Council Member Absent: Patrick Souter, Council Member Place 2

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Hear presentations and discussion regarding 5-year Capital Improvement Plan

City Manager Michael Scott explained the goal of the meeting is to review the 5-year Capital Improvement Plan to ensure the plan aligns with City Council's priorities and receive a consensus for staff to move forward with a bond issuance.

Chad Tustison, Senior Finance Director, reviewed the following:

- Budget Development Process
- Overview of Capital Improvement Plan (CIP)
- FY 2025 CIP Summary - \$47 M
 - Streets Projects: \$9.1 M
 - Parks and Recreation: \$8.7 M
 - Facilities: \$16.8 M
 - Fire Equipment: \$2.9 M
 - Water Projects: \$5.5 M
 - Waste Water Projects: \$3.8 M
- CIP Budget Process: Bonds, Operating Funds, Fund Balance/Working Capital, Impact Fees
- CIP and Debt Management
- Debt Service and Tax Rate
- Debt Service Capacity with 5-Year CIP Projects
- Timeline for Bond Issuance
- Next steps: Budget, Bond Issuance

Justin Stoker, Senior Director of Public Works and Engineering, reviewed the status of the following street projects:

(5b)

- Graham Street – Construction
- University Avenue – Construction
- Wilmington Drive and Charlotte Avenue – Advertising for Construction
- Grand Avenue/Solon Road – Advertising for Construction
- Perry Avenue – Design
- Broadhead Road – Design
- Farley Street – Concept plan
- Old Italy Road – Design in FY 25
- Streets Maintenance Facilities – Construction in FY 25

Mr. Stoker also reviewed the following:

- New Street Construction: Old Italy/Spur 394 New Road
- Full Street Construction: East Ross Street and Kaufman Street
- Alley Replacement: Indian Hills Addition Phase I and College Hills Addition
- Pavement Preservation:
 - Oxcon Concrete Resurfacing: Hacienda Drive
 - Pressure Pave: Wyatt Street (MLK to Peters Street); Oneida (Jefferson to Perry); S. Grand Avenue (Main to Getzendaner Park); Poplar/N. Central (N. Grand to Main); Indian Drive (Brown Street to N. Highway 77); Kaufman (MLK to Marvin)
 - Scarification: Water Street (Textile to Monroe); Oldham (College to Kaufman); Jackson (Railroad tracks to Marvin); Flat (Oldham to Marvin)

Kyle Cooper, Senior Director of Parks and Recreation, reviewed the following current CIP projects:

- Boat Dock Park: estimated completion early May 2024
- North Grove Park: Design Review Committee formed to review conceptual plans
- Mustang Park: 60% civil construction plans are under review and project should bid summer 2024
- Regional Trail: FY 24 – RFQ for Professional Engineering Services; FY 25 – easement, ROW acquisition, utility relocation, and environmental clearance; FY 26 – construction estimated to start

Mr. Cooper reviewed the following 5-year Capital Improvement Projects:

- Creek bank stabilization
- North Grove Park construction
- Parks Shop construction
- Food Truck Plaza/parking/access near Railyard Park
- Playground improvements at Getzendaner Park
- New Parks and Recreation Open Space Master Plan
- Lions Park Improvements (funding source not identified)
- Lake Park Improvements: Jetty and Spring (funding source not identified)

(5b)

Council Member Smith expressed his support to move funding for food truck plaza to improvements at Getzendaner Park.

Mayor Pro Tem Chris Wright and Council Member Travis Smith expressed their opposition to supporting Jetty Park improvements. Mr. Wright noted the lake is used as a water source and not recreation and expressed his support to fund improvements for field use by the public. Mr. Smith concurred and noted the need to prioritize practice space for the community.

Fire Chief Ricky Boyd reviewed the following fire equipment requests for the 2024 bond issuance:

- New Fire Engine 1
- New Fire Engine 3
- Booster Truck

Council Member Billie Wallace requested prioritizing personnel requests annually by Fire and Police to ensure safety needs are being met due to city growth.

Police Chief Joe Wiser presented a request for a new police training firing range to be included in the 2024 bond issuance. Council Members discussed the opportunity to partner with other entities.

Kumar Gali, Senior Director of Utilities, reviewed the following 5-year Capital Improvement Water and Wastewater Projects:

Water

- Elevated storage tank rehab: Highland
- Ground storage reservoir rehab: Grand Avenue
- South Prong Dam Repairs (emergency spillway improvements)
- Water rehab: Almond Street, Vine Street, Harvin Avenue
- Water main extension from US 77 to Old Italy Road
- Howard Road Water Treatment Plant Master Plan Update
- Sokoll cell valve and actuator replacements
- Sokoll Master Plan

Wastewater

- Sewer service for development near TxDOT Spur 394 (lift station and sewer)
- West Side Lift Station generator (includes engineering)
- Southwest Trunk Sewer Rehab Phase II
- Northeast Trunk Sewer Expansion (Phases 1, 2, 3)
- Sewer Replacement – Kaufman and E. Ross
- College Hills Alleys Sewer Rehab

It was the general consensus of City Council to proceed with the proposed FY 25 bond plan and 5-year Capital Improvement Plan as presented.

3. Hear presentations and discussion regarding other potential future capital initiatives

(5b)

J.D. Wood, Sports Facilities Companies (SFC), provided an overview of services offered when considering a recreation center: advisory, development, and management. He explained SFC assists cities who want to plan, fund, develop, or operate sports, recreation, entertainment and fitness centers.

It was the general consensus of City Council that a recreation center would be beneficial to the community and to move forward with the next step to further consider a potential bond election in 2025.

Police Chief Wisner reviewed the updated Animal Shelter Needs Assessment. He explained Quorum Architects, Inc. was retained by the City of Waxahachie to perform a feasibility study and needs assessment of their animal shelter in 2020. They recently provided updated cost estimates for a multiple entity shelter, which range from approximately \$16-19 million, and a single entity shelter, which range from approximately \$14-17 million.

City Council acknowledged the need for a new animal shelter. They discussed potential site locations and the opportunity for a bond election in 2025. Mr. Scott noted if the bond proposal isn't approved by the citizens, City Council and staff can identify ways to improve the current facility.

It was the general consensus of City Council to move forward with the next step to further consider a potential bond election in 2025.

4. Receive update on preliminary City Hall renovation

Dale Sigler, Director of Administrative Services, provided an update on the anticipated timeline of the project, Construction Manager at Risk selection, preliminary site plan and floor plans, and the current budget.

5. Discuss concerns over vagrant beggars

Mayor Pro Tem Wright stated the concern stems from safety issues and noted he understands the right to panhandle.

City Attorney Terry Welch discussed the current solicitation ordinance and panhandling ordinance noting some cities have implemented enhanced panhandling ordinances, but they are hard to enforce. Mr. Welch explained Dallas adopted an ordinance restricting the occupying of medians due to safety concerns. The city was challenged, and as of now, the court upheld the ordinance in a November ruling.

Council Members discussed options to deter panhandling on the narrow medians due to safety concerns. Council acknowledged the numerous complaints from citizens and the need for action.

It was the general consensus of City Council to add signage to deter panhandling in the medians for everyone's safety. Mr. Scott entertained the idea of an informative social media post and City Council was supportive.

(5b)

6. Adjourn

There being no further business, the meeting adjourned at 1:22 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary



City of Waxahachie
City Secretary's Office

(50)

Special Event Application

Date submitted 4/2/24

Applicant Information

Applicant name: Kelsey Rush

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☒

No ☐

Phone:

Cell:

Email:

Mailing address: 200 W Marvin Ave, Waxahachie TX 75165

Host organization name: The Rush Group at Keller Williams Realty

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

On-site contact name: Kaycie Cartwright

Cell:

About the Event

Event name: Fun Food Drive

Location: Getzendaner Park Pavillion #2

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

Anticipated attendance: Around 100

Description of event:

We are having a food drive where people will come by between 2-5pm and drop off food donations.

We will also have two bounce houses, a DJ, a canopy, Dip n Dots, and a face painter/balloon artist

It will be open to anyone in the community

How many times has this event been hosted before?

1st time ☒

2 – 4 times ☐

5 or more times ☐

Location:

Choose the best description of the event:

☐ Festival

☐ Movie Screening

☐ Parade

☐ Private Event

☐ Run / Walk

☐ Birthday Party / Picnic

☐ Charitable / Fundraising

☒ Community / Neighborhood

☐ Concert / Live Performance

☐ Other:

(56)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Amusement rides / Inflatables | <input checked="" type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input type="checkbox"/> Announcement / Speeches | <input type="checkbox"/> Live music |
| <input type="checkbox"/> Information / Literature Distribution | <input type="checkbox"/> Street closure |
| <input checked="" type="checkbox"/> DJ / Recorded Music | <input type="checkbox"/> Other: |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket |

Admission information, if applicable:

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

It will all be free with a canned food donation

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	4/28/2024	2pm	5pm
Event Set-up	4/28/2024	11 am	2pm
Event Breakdown	4/28/2024	5pm	7pm

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 | <input type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+ | <input type="radio"/> |

Provide route on attached site map.

(50)



City of Waxahachie
City Secretary's Office

Special Event Application

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 ☒

[Sample Downtown Event/Festival Boundary Map](#)

[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: 0 Date(s) & time(s): _____
Volunteers How many: 0 Date(s) & time(s): _____
Private security How many: 0 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, you will be provided the information on how 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? _____

(50)



City of Waxahachie
City Secretary's Office

Special Event Application

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:

Explain services in detail:

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.



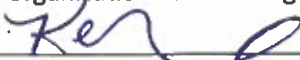
Signature

4/2/2024

Date

Contract Agreement

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



Signature

4/2/2024

Date



(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

(5d)

Date submitted 3/26/24

Applicant Information

Applicant name: Tad Ruiz

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☒

No ☐

Phone:

Cell:

Email: TRuiz@fuego.church

Mailing address: 211 Main St, Red Oak, TX 75154

Host organization name: Fuego Church

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

On-site contact name: Vanessa Mejia

Cell:

About the Event

Event name: Outside Concert

Location: Railyard Park Amphitheater

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

Anticipated attendance: 500

Description of event: The Program will consist of a song set for 25 mins. a short devotional and a time of prayer.

How many times has this event been hosted before?

1st time ☐

2 – 4 times ☒

5 or more times ☐

Location: Railyard park - sam as last year

Choose the best description of the event:

☐ Festival

☐ Movie Screening

☐ Parade

☐ Private Event

☐ Run / Walk

☐ Birthday Party / Picnic

☐ Charitable / Fundraising

☐ Community / Neighborhood

☒ Concert / Live Performance

☐ Other:

(5d)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Amusement rides / Inflatables | <input type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input checked="" type="checkbox"/> Information / Literature Distribution | <input type="checkbox"/> Street closure |
| <input type="checkbox"/> DJ / Recorded Music | <input type="checkbox"/> Other: |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket |

Admission information, if applicable:

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

N/A

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	May 15, 22, 29	7:00pm	8:00pm
Event Set-up	May 15, 22, 29	3:00pm	6:00pm
Event Breakdown	May 15, 22, 29	8:45pm	9:45pm (10:00pm)

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 | <input type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+ | <input type="radio"/> |

Provide route on attached site map.



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 ☒

[Sample Downtown Event/Festival Boundary Map](#)

[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: 0 Date(s) & time(s): _____
Have you made arrangements with the police? Yes ☐ No ☒

If no, you will be provided the information on how 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

(5d)

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

Explain services in detail:

We used the electricity offered at the Amphitheater

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 of 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.

Tad Ruiz

Digitally signed by Tad Ruiz
Date: 2024 03 25 17:28:00 -05'00'

1/25/2024

Signature

Date

Contract Agreement

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

Tad Ruiz

Digitally signed by Tad Ruiz
Date: 2024 03 25 17:28:23 -05'00'

1/25/2024

Signature

Date

Fuego Church - Outside Concert Map
May 15, 22, 29



(5A)



City of Waxahachie
City Secretary's Office

Special Event Application

(5e)

Date submitted 4/2/24

Applicant Information

Applicant name: James Taylor

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☒

No ☐

Phone: Cell:

Email: jtaylor@waxahachiepd.org

Mailing address: 630 Farley Street Waxahachie, Texas 75165

Host organization name: Waxahachie Police Department

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

On-site contact name: Sgt. Brian Fuller Cell:

About the Event

Event name: Police Memorial

Location: Pocket Park next to the Ellis County Courthouse

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

Anticipated attendance: 200

Description of event: This is the yearly Police Memorial for Officers that paid the ultimate sacrifice of losing their lives in the line of duty. We plan to have bagpipes and drums played, a bugler playing taps, 21-gun salute, and a keynote speaker during the procession.

How many times has this event been hosted before?

1st time ☐ 2 – 4 times ☐ 5 or more times ☒ Location: Pocket Park

Choose the best description of the event:

☐ Festival

☐ Movie Screening

☐ Parade

☐ Private Event

☐ Run / Walk

☐ Birthday Party / Picnic

☐ Charitable / Fundraising

☒ Community / Neighborhood

☐ Concert / Live Performance

☐ Other:

(5e)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Amusement rides / Inflatables | <input type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input type="checkbox"/> Announcement / Speeches | <input type="checkbox"/> Live music |
| <input type="checkbox"/> Information / Literature Distribution | <input checked="" type="checkbox"/> Street closure |
| <input type="checkbox"/> DJ / Recorded Music | <input type="checkbox"/> Other: |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket |

Admission information, if applicable:

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

N/A

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	5-15-2024	12:00 P.M.	1:00 P.M.
Event Set-up	5-15-2024	10:00 A.M.	11:50 A.M.
Event Breakdown	5-15-2024	1:00 P.M.	2:00 P.M.

Run / Walk:

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

N/A 1 mile N/A 5K N/A Other distance

Please indicate your expected attendance: N/A

Number of participants:

- | | |
|---------|-----------------------|
| 1-99 | <input type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+ | <input type="radio"/> |

Provide route on attached site map.

(5e)



City of Waxahachie
City Secretary's Office

Special Event Application

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 ☒

[Sample Downtown Event/Festival Boundary Map](#)

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: N/A Date(s) & time(s): N/A
Volunteers How many: N/A Date(s) & time(s): N/A
Private security How many: N/A Date(s) & time(s): N/A
Company name: N/A

Contact name and number: N/A

Off duty police How many: NO Date(s) & time(s): 5-15-2024

Have you made arrangements with the police? Yes ☒ No ☐

If no, you will be provided the information on how to make arrangements.

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

Contact name: Officer James Taylor Phone number: (469)309-4430

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 East Franklin St.

to 200 block of East Franklin St. and 100 block of S. Jackson to 200 block of S. Jackson.

Street closings to begin on date: 5-15-2024 Start time: 5:00 A.M. End time: 2:00 P.M.

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: 20 Barricades How many: 8

Other: N/A

Where should equipment be dropped off & picked up? 100/200 block of S. Jackson and E. Franklin St.

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 11-15-2024

Time: 5:00 A.M.

When will the traffic equipment be removed?

Date: 11-15-2024

Time: 2:00 P.M.

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

Explain services in detail:

We will need to plug in the sound system at the Pocket Park.

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, its 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, its officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

James Taylor 181
Signature

4-2-2024

Date

Contract Agreement

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

James Taylor 181
Signature

4-2-2024

Date

(5f)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 3/1/24

Applicant Information

Applicant name: Waxahachie CVB/ Monica Boyd

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☒

No ☐

Phone: _____ Cell: _____

Email: mboyd@waxahachiecvb.com

Mailing address: 2000 Civic Center Ln

Host organization name: Waxahachie CVB

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

On-site contact name: Monica Boyd

Cell: _____

About the Event

Event name: Crape Myrtle Festival & Parade

Location: Sports Complex/Downtown Waxahachie

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

Anticipated attendance: 8,000

Description of event: Band & Fireworks- July 3rd/ Parade- July 4th

How many times has this event been hosted before?

1st time ☐

2-4 times ☐

5 or more times ☒

Location: _____

Choose the best description of the event:

☒ Festival

☐ Movie Screening

☒ Parade

☐ Private Event

☐ Run / Walk

☐ Birthday Party / Picnic

☐ Charitable / Fundraising

☒ Community / Neighborhood

☒ Concert / Live Performance

☐ Other: _____

(5f)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Amusement rides / Inflatables | <input checked="" type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input type="checkbox"/> Information / Literature Distribution | <input checked="" type="checkbox"/> Street closure |
| <input checked="" type="checkbox"/> DJ / Recorded Music | <input type="checkbox"/> Other: |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> 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	July 3 & 4	5:00/10:00	9:30/11:00
Event Set-up	July 3 & 4	10:00/8:00	5:00/10:00
Event Breakdown	Same	Immediately Following Event	Immediately Following Event

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 | <input type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+ | <input type="radio"/> |

Provide route on attached site map.

(5f)



City of Waxahachie
City Secretary's Office

Special Event Application

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 ☒

Sample Downtown Event/Festival Boundary Map

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: TBD Date(s) & time(s): _____
Volunteers How many: TBD Date(s) & time(s): _____
Private security How many: _____ Date(s) & time(s): _____
Company name: _____

Contact name and number: _____

Off duty police How many: TBD Date(s) & time(s): _____
Have you made arrangements with the police? Yes ☐ No ☐

If no, you will be provided the information on how 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: _____

Normal Streets along the Parade Route

Street closings to begin on date: July 4th Start time: 8:00 End time: 11:00

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: TBD Barricades How many: TBD

Other: _____

Where should equipment be dropped off & picked up? Usual Places

(5f)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: July 3 & 4

Time: TBD

When will the traffic equipment be removed?

Date: July 3 & 4

Time: TBD

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:

TBD

Explain services in detail:

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, its 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, its officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Monica Boyd
Signature

3.11.24
Date

Contract Agreement

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

Monica Boyd
Signature

3.11.24
Date

(5f)



April 1, 2024

Mr. Juan Paredes
Texas Department of Transportation
124 FM 876
Waxahachie, TX 75167
juan.paredes@txdot.gov

Dear Mr. Paredes:

The Waxahachie Convention & Visitors Bureau is making plans for the annual July 4th parade.

We are requesting permission to host a parade on Thursday, July 4, 2024, 10 a.m., along the following route:

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

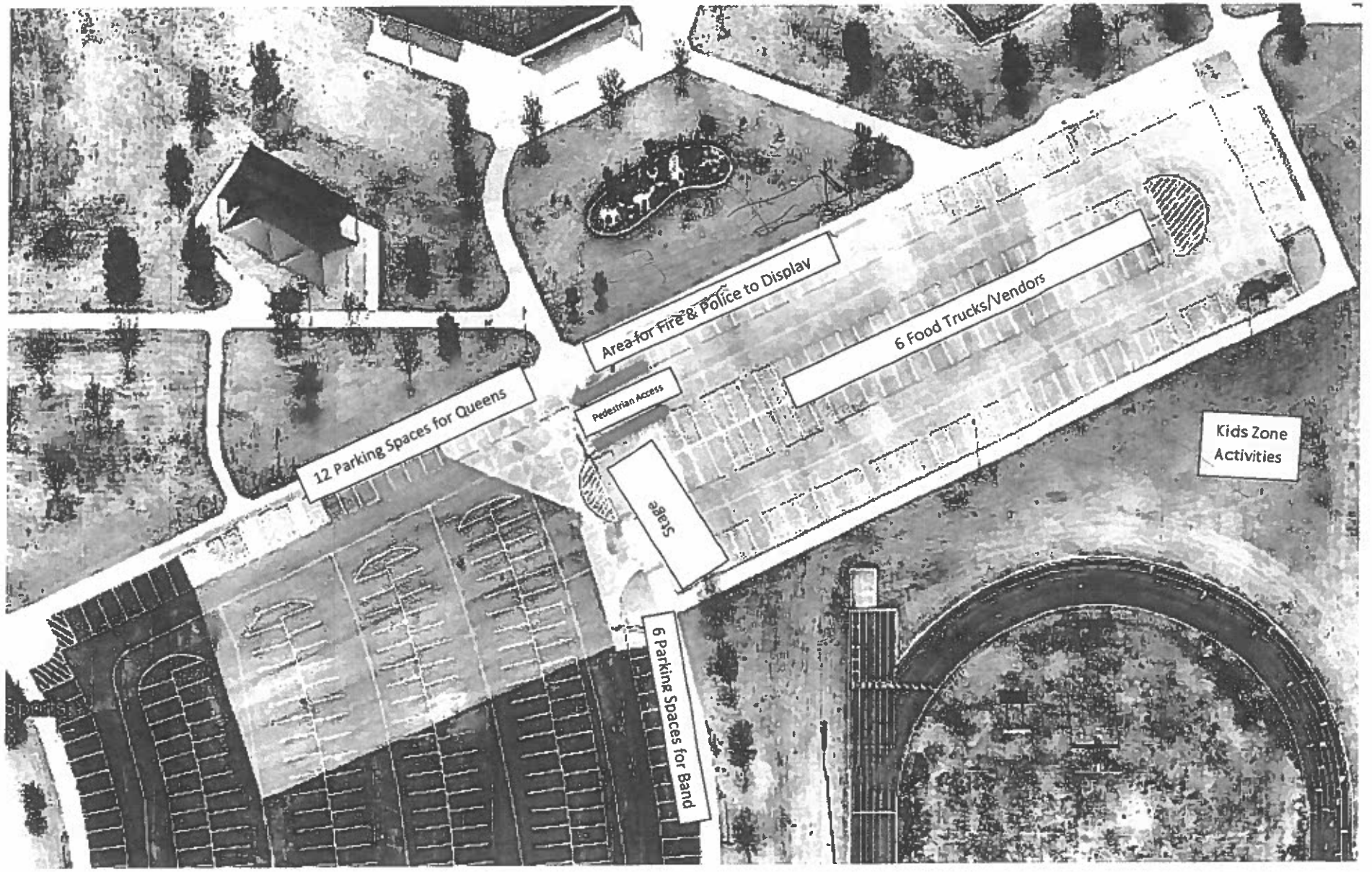
We are also requesting approval of this route from the City of Waxahachie.

Sincerely,

Laurie Mosley
Director Convention & Visitors Bureau
City of Waxahachie

cc: Amber Villarreal, City Secretary, City of Waxahachie
Michael Scott, City Manager, City of Waxahachie
Joe Wiser, Police Chief, City of Waxahachie

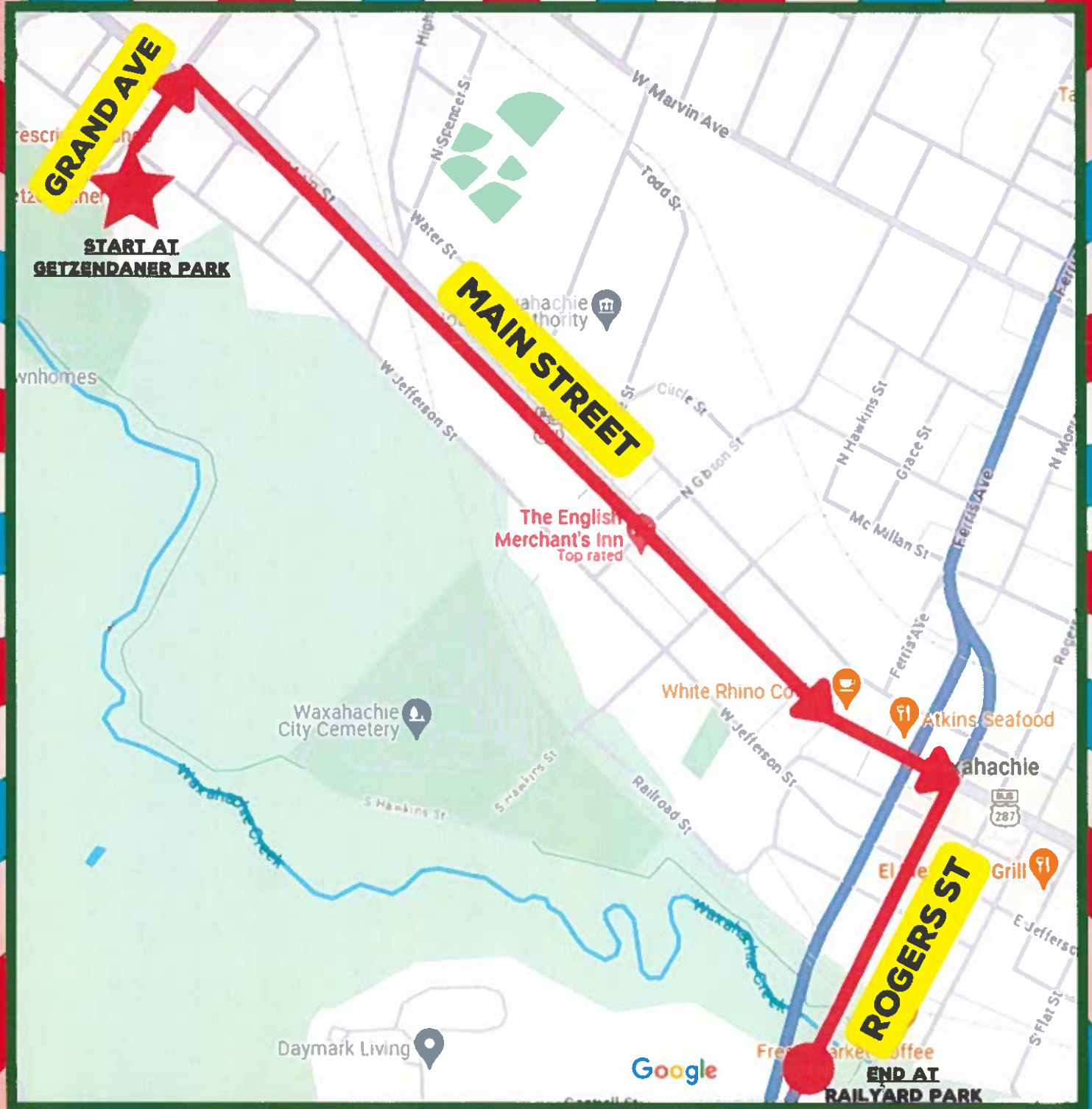
Waxahachie Convention & Visitors Bureau
2000 Civic Center Lane, Waxahachie, TX 75165 • 469-309-4045



(5f)

4TH OF JULY PARADE ROUTE

(5f)





City of Waxahachie
City Secretary's Office

(59)

Special Event Application

Date submitted 2/27/24 3/25/24

Applicant Information

Applicant name: Betty Square Coleman

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☒

No ☐

Phone: - Cell: -

Email: -

Mailing address: PO Box 478, Waxahachie, TX 75168

Host organization name: YeahGirl Sisterhood

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

On-site contact name: Lucretia Collier-Latson

Cell: -

About the Event

Event name: 1st Annual Back to School Health Fair

Location: Lee Penn Park

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

Anticipated attendance: 150 parents and children

Description of event: Provide students & teachers with supplies. Food drive for Waxahachie Cares. Connect the community

with health & wellness resources, screenings, & information; Bring together various local businesses in the area to show support and foster

a sense of community that will build on-going collaborations, relationships and partnerships for future endeavors.

How many times has this event been hosted before?

1st time ☒ 2 – 4 times ☐ 5 or more times ☐ Location: -

Choose the best description of the event:

☐ Festival

☐ Movie Screening

☐ Parade

☐ Private Event

☐ Run / Walk

☐ Birthday Party / Picnic

☒ Charitable / Fundraising

☒ Community / Neighborhood

☐ Concert / Live Performance

☒ Other: School Supply Give-Away & Food Drive



Event activities include (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Amusement rides / Inflatables | <input checked="" type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input checked="" type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input checked="" type="checkbox"/> Information / Literature Distribution | <input type="checkbox"/> Street closure |
| <input checked="" type="checkbox"/> DJ / Recorded Music | <input checked="" type="checkbox"/> Other: Blood Drive, Health Screenings and Resou |

The event is:

- | | |
|---|---|
| <input type="radio"/> Private | <input type="radio"/> Free & open to the general public |
| <input checked="" type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket |

Admission information, if applicable:

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

Participants must register prior to the event via QR Code & bring non-perishable food items for entry. Vendors will pay \$50 and

provide a donation to advertise their business for prize giveaways during the event that have a retail value of \$50.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	8-10-2024	10:30 am	1:30 pm
Event Set-up	8-10-2024	9:00 am	10:30 am
Event Breakdown	8-10-2024	1:30 pm	2:00 pm

Run / Walk:

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

n/a 1 mile n/a 5K n/a Other distance

Please indicate your expected attendance: n/a

Number of participants:

- | | |
|---------|-----------------------|
| 1-99 | <input type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+ | <input type="radio"/> |

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 ☒

[Sample Downtown Event/Festival Boundary Map](#)

[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: city can determine Date(s) & time(s): 8-10-2024 9:00am - 2:00pm

Volunteers How many: city can determine Date(s) & time(s): 8-10-2024 9:00am - 2:00pm

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

Company name: _____

Contact name and number: _____

Off duty police How many: city can determine Date(s) & time(s): 8-10-2024 9:00am - 2:00pm

Have you made arrangements with the police? Yes ☐ No ☒

If no, you will be provided the information on how 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: Using parking lots adjacent to the playground/basketball court and adjacent to the pool area. Blocking off the parking lot adjacent to the playground.

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: 10 Barricades How many: 1

Other: _____

Where should equipment be dropped off & picked up? Pavillion directly adjacent to the playground



City of Waxahachie
City Secretary's Office

(59)

Special Event Application

When will the traffic equipment be set-up?

Date: 8-10-2024

Time: 9:30am

When will the traffic equipment be removed?

Date: 8-10-2024

Time: 1:45pm

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:

Electricity supplied by pavilion and concession stand, if available.

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.

Digitally signed by Lucretia Collier-Latson
Date: 2024.03.25 13:02:09 -05'00'

Signature

03-25-2024

Date

Contract Agreement

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

Digitally signed by Lucretia Collier-Latson
Date: 2024.03.25 13:03:45 -05'00'

Signature

03-25-2024

Date

LEE PENN PARK SITE MAP

YeahGirl Sisterhood's 1st Annual Back to School Health Fair



1. Traffic Cones and Barricade will be dropped off and picked up here. Traffic cones will be used here to block off the parking lot to allow people to safely walk to the restroom and to form lines, if necessary.
2. Participants will come to this pavilion to pick up tickets and drop-off non-perishable food items.
3. School Supply give-away, vendors, and music will be set-up here.
4. Restrooms
5. Concession stand-food will be disbursed from here.
6. Blood Drive bus will be parked here.
7. Participant parking
8. Additional parking, if necessary

(59)

(5h)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-43-2024



MEETING DATE(S)

City Council:

April 15, 2024

CAPTION

Consider proposed Ordinance approving a request by Gregory Boston, for a **Petition for ETJ Release** for approximately 10.23 acres, located south of 141 Mustang Road (Property ID 180992) – Owner: Gregory Boston (ETJ-PTN-43-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-43-2024, a request by Gregory Boston, for a Petition for ETJ Release for approximately 10.23 acres, located south of 141 Mustang Road, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant: Gregory Boston

Property Owner(s): Gregory Boston

Site Acreage: 10.23 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

SUBJECT PROPERTY

General Location: South of 141 Mustang Road

Parcel ID Number(s): 180992

Current Zoning: ETJ

Existing Use: Undeveloped Land

Platting History: The subject property is not platted.

CCN Service Area: Rockett Special Utility District

Site Aerial:**PLANNING ANALYSIS**

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for April 15, 2024 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION***Prepared by:***

Oanh Vu

Senior Planner

Oanh.Vu@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

[illegible]

(5h)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 10.23ACRE TRACT OF LAND, LOCATED SOUTH OF 141 MUSTANG ROAD, KNOWN AS PROPERTY ID 180992, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-43-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 15th day of April, 2024.

MAYOR

ATTEST:

City Secretary

EXHIBIT A - LEGAL DESCRIPTION

LAND TITLE SURVEY

(5h)

HIGHWAY 287, WAXAHACHE, TEXAS 75165

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE G. CARPENTER SURVEY, A-190, ELLIS COUNTY, TEXAS, BEING DESCRIBED AS PART OF A CALLED 48.071 ACRE TRACT OF LAND DESCRIBED IN DEED TO STANLEY GROUP, L.L.C.-SERIES 3833 S. HIGHWAY 287 RECORDED IN DOCUMENT # 1833023, OF THE DEED RECORDS ELLIS, TEXAS (PRECT).



LEGEND

CONC. = CONCRETE	TS = TELEPHONE BOX
CP = POWER POLE	LP = LIGHT POLE
SH = SIGN FOR SHED	GS = GAS METER
SW = SWITCH OFFLINE	EB = ELECTRICAL BOX
SP = SIGN BOX FOLDED	PT = PROPANE TANK
SB = SIGN BOX SET	PS = SERVICE POLE
UCAR = JUNCTION	PH = FIRE HYDRANT
SC = SIGN POLE FOLDED	TH = TRAILER
PC = POLE CORNER FOLDED	DE = DISCREPANT
CCS = BURIED CABLE SIGN	DI = DIAGRAM
PLR = PIPELINE MARKER	BASEMENT

**BASIS OF BEARINGS:
TEXAS COORDINATE
SYSTEM NORTH
CENTRAL ZONE NAD 83**

G. CARPENTER
SURVEY, A-190

**PART OF
STANLEY GROUP, L.L.C.-SERIES
3833 S. HIGHWAY 287
48.071 ACRES
1833023**

VISTA MARK HOLDINGS, LLC.
10.01 ACRES
1908090

**PART OF
STANLEY GROUP, LLC-SERIES
3833 S. HIGHWAY 287
46.071 ACRES
1833023**

10.23 ACRES

LIGHT
 COR ELEC.
 NY COMPANY
 11354

MUSTANG ROAD

POINT OF BEGINNING

SURVEYORS NOTES

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND THE UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS THEREFROM. THERE IS NO VISIBLE EVIDENCE OF AN OIL OR GAS PIPELINE ON THIS TRACT.

NO RECORD PLAIN DESIGNATION WAS DETERMINED BY THIS SURVEYOR

and 4 FEBRUARY 1940. ROOM MADE BY CUTTING OUT 20 INCHES FROM EACH END.

NO ATTEMPT HAS BEEN MADE TO DETERMINE OR SHOW THE EXISTENCE, LOCATION, SIZE, DEPTH, CAPACITY OR CONDITION OF ANY PROPOSED OR EXISTING UTILITIES ON THIS PROPERTY WHETHER PRIVATE, MUNICIPAL OR PUBLICLY OWNED. NO ENVIRONMENTAL OR SUBSURFACE CONDITIONS WERE SURVEYED OR EXAMINED THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
THE ADDRESS SHOWN WAS PROVIDED BY OTHERS. NADSON SURVEYING MAKES NO CLAIM TO ITS ACCURACY.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THERE MAY BE MATTERS AFFECTING THIS TRACT THAT A TITLE COMMITMENT WOULD REVEAL. THE UNDERSIGNED HAS NOT PERFORMED A TITLE AND/OR EASEMENT SEARCH AND ASSUMES NO LIABILITY FOR SUCH MATTERS.

I, GARY L. MARSH, R.F.L.S. # 4267, DO HEREBY CERTIFY THAT THE SURVEY SHOWN REPRESENTS THE RESULTS OF AN OIL ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION DURING THE MONTH OF MARCH 1938, AND ALL CORNERS ARE SHOWN HEREON AND THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS, OR CLAIMS OR PROVISIONS OTHER THAN SHOWN.

GARY L. HARDIN R.P.L.S. # 4207
SIGNATURE VOID IF NOT SIGNED IN BLUE INK

© 1936 ALL RIGHTS RESERVED
SEE ENDNOTES

HARDIN SURVEYING

PO BOX 587
MABANK, TEXAS 75147
(903) 887-5874
FIRM# 10114700

DATE PERFORMED: MARCH 17, 2020
SCALE: 1"=50 FEET
WORK ORDER 23629-05 DRAWN BY: TP
FIELD BY: GF CHECKED BY: TP
THIS SURVEY WAS PERFORMED FOR

(5h)

EXHIBIT "A"

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE G. CARPENTER SURVEY, A-190, ELLIS COUNTY, TEXAS, BEING DESCRIBED AS PART OF A CALLED 46.071 ACRE TRACT OF LAND DESCRIBED IN DEED TO STANLEY GROUP, L.L.C.-SERIES 3633 S. HIGHWAY 287 RECORDED IN DOCUMENT # 1833023, OF THE DEED RECORDS ELLIS, TEXAS (DIRECT). SAID LOT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a Metal Disk found at the intersection of the northeast line of State Highway 287 and the northwest line of Mustang Road, being the south corner of the above mentioned 46.071 acre tract and this tract;

THENCE, N 58°16'20" W, 535.90 feet along the northeast line of State Highway 287 to a ½" iron rod found at the southwest corner of an 0.52 acre Access Easement, the south corner of the Vista Mark Holdings, LLC. 10.01 acre tract of land as described in Deed recorded in Document No. 1908080 of the DRECT, being the west corner of this tract;

THENCE, N 12°13'51" E, 749.36 feet along the common line of the Vista Mark Holdings, LLC. 10.01 acre tract, an 0.52 acre Access Easement and this tract to a ½" iron rod found at an interior angle point of the above said 46.071 acre tract, being the north corner of this tract;

THENCE, S 58°16'21" E, 699.71 feet through the above said 46.071 acre tract to a ½" iron rod found in the northwest line of Mustang Road, being the east corner of this tract;

THENCE, along the northwest line of Mustang Road as follows: S 10°13'31" W, 103.85 feet to a ½" iron rod found; S 27°12'19" W, 611.67 feet to the POINT OF BEGINNING and CONTAINING 10.23 ACRES OF LAND MORE OR LESS.

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 2221702 on May 24, 2022 at 1:26 PM

STATE OF TEXAS COUNTY OF ELLIS
I hereby certify this instrument was filed on the date
and time stamped hereon and was duly recorded in
the records of Ellis County, Texas as stamped hereon.
COUNTY CLERK, ELLIS COUNTY, TEXAS



Hunter Valley

(5h)

EXHIBIT B - LOCATION MAP



(51)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-44-2024



MEETING DATE(S)

City Council:

April 15, 2024

CAPTION

Consider proposed Ordinance approving a request by William D. Collard Jr., for a **Petition for ETJ Release** for approximately 11.668 acres, located at 3230 S US Highway 77 (Property ID 223318) – Owner: William D. Collard Jr. (ETJ-PTN-44-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-44-2024, a request by William D. Collard Jr., for a Petition for ETJ Release for approximately 11.668 acres, located at 3230 S US Highway 77, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant: William D. Collard Jr.

Property Owner(s): William D. Collard Jr.

Site Acreage: 11.668 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

SUBJECT PROPERTY

General Location: 3230 S US Highway 77

Parcel ID Number(s): 223318

Current Zoning: ETJ

Existing Use: WDC Recycling

Platting History: The subject property is not platted.

CCN Service Area: Nash-Forreston

Site Aerial:**PLANNING ANALYSIS**

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for April 15, 2024 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

Oanh.Vu@waxahachie.com

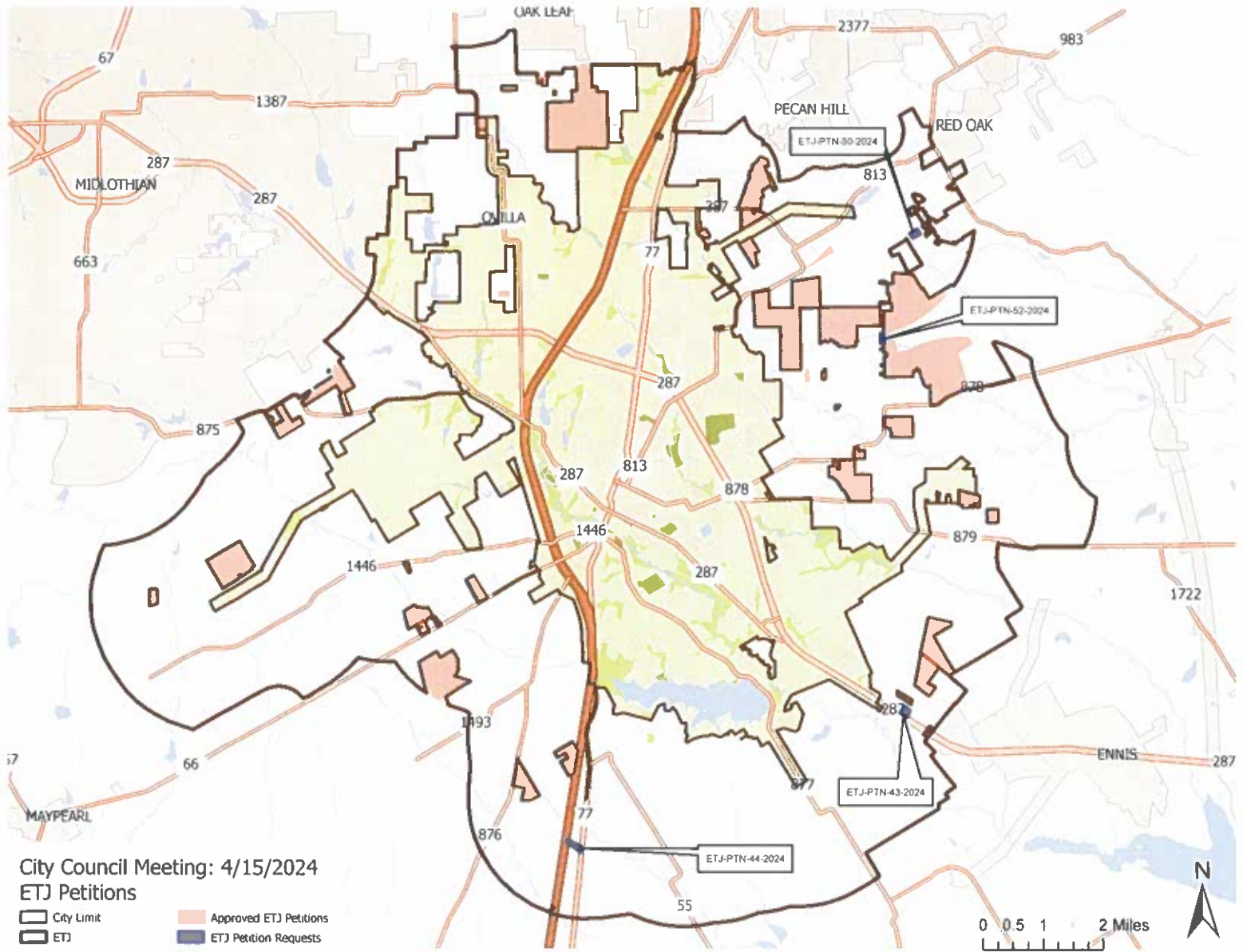
Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(5i)



(5i)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 11.668 ACRE TRACT OF LAND, LOCATED AT 3230 S US HIGHWAY 77, KNOWN AS PROPERTY ID 223318, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-44-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 15th day of April, 2024.

MAYOR

ATTEST:

City Secretary

EXHIBIT A - LEGAL DESCRIPTION

02095 0869

VOL. PG.

(51)

FIELD NOTES

BEING all that certain lot, tract or parcel of land situated in the ELLIS COUNTY SCHOOL SURVEY, Abstract No. 328, in Ellis County, Texas, and being a part of a called 52.882 acre tract of land as described by deed and recorded in Volume 1734, Page 1813, Official Public Records, Ellis County, Texas (CORRECT), and being more particularly described as follows:

BEGINNING at a 1/2" steel rod found in the west line of the said 52.882 acre tract and in the east line of Interstate Highway 35E (I-35E) for the southwest corner of this tract and which bears N 85°35' E, 1011.61 feet from a 1" steel rod found for the lower northwest corner of the said 52.882 acre tract.

THENCE N 85°35' E, 231.30 feet (Used - Same bearing) along the west line of this tract and same for the said 52.882 acre tract and along the east line of I-35E to a 1/2" steel rod set for the northwest corner of this tract;

THENCE S 61°08'59" E, 1423.06 feet through the said 52.882 acre tract and along the south line of this tract to a 1/2" steel rod set in the east line of the said 52.882 acre tract for the northeast corner of this tract and being in the west line of U.S. Highway 77;

THENCE S 5°42'39" W 524.29 feet along the east line of this tract and same for the said 52.882 acre tract and along the west line of U.S. Highway 77 to a 1/2" steel rod set for the southeast corner of this tract;

THENCE N 85°14'24" W 1563.66 feet through the said 52.882 acre tract and along the south line of this tract to the POINT OF BEGINNING and containing approximately 11.860 acres of land.

SURVEYORS CERTIFICATE

TO THE LIFE HOLDERS AND/OR THE OWNERS AND/OR THE PURCHASERS OF THE PREMISES SURVEYED AND TO:

I hereby certify that in December, 2000, this survey was made on the ground as per the field notes shown on this survey and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way.

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

I further certify to the following conditions:

1. That no portion of the said tract was within a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas, Map Number 48139C0190 D.
2. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect this property were not located during the course of this survey, but have made an attempt to locate as accurately as possible any underground utility indicated by above ground evidence.
3. Information in parentheses are from public records (Dead calls)
4. Bearing sources are as per record plat or field notes description.
5. This survey was prepared in conjunction with _____ Commitment for Title Insurance, G.P. No. _____, dated _____, 2000. The easements, rights-of-way, or other exceptions noted hereon are according to the Schedule A therein. The surveyor has not abstracted the property. Based in the easements and/or deeds furnished by the aforesaid title company, the following do not appear to affect the subject property:

6. Unless otherwise labeled, all property corners indicated as "Set" are 1/2" diameter steel rods with yellow plastic caps marked (R.P.S. 4486)

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and

COUNTY OF ELLIS TEXAS
Instrument 02095-0869
For recording & filing

(5i)

EXHIBIT B - LOCATION MAP



(5j)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-50-2023



MEETING DATE(S)

City Council:

April 15, 2024

CAPTION

Consider proposed Ordinance approving a request by *Robert Shierk & Sandra Shierk*, for a **Petition for ETJ Release** for approximately 9.282 acres, located at 1022 W. Woodridge Rd. (Property ID 154525 & 154516) Owner: Robert D. Shierk & *Sandra Shierk* (ETJ-PTN-50-2024).

RECOMMENDED MOTION

"I move to approve ETJ-PTN-50-2024, a request by Robert Shierk & Sandra Shierk, for a Petition for ETJ Release for approximately 9.282 acres, located at 1022 W. Woodridge Rd., authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owners have petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant: Robert D. Shierk and Sandra N. Shierk

Property Owner(s): Robert D. Shierk and Sandra N. Shierk

Site Acreage: 9.282 acres

Number of Lots: 2 lots

Number of Dwelling Units: 0 units

SUBJECT PROPERTY

General Location: 1022 W. Woodridge Rd.

Parcel ID Number(s): 154525 & 154516

Current Zoning: ETJ

Existing Use: Single Family Residents

Platting History: The subject property is platted as Lots 70 & 71 of the Rutherford Crossing Subdivision

CCN Service Area: Rockett Special Utility District

Site Aerial:**PLANNING ANALYSIS**

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for April 15, 2024 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION***Prepared by:***

Harper Lindamood
Planner

Harper.Lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(5j)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 9.282 ACRE TRACT OF LAND, LOCATED AT 1022 W. WOODRIDGE RD., KNOWN AS PROPERTY ID 154525 & 154516, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-50-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

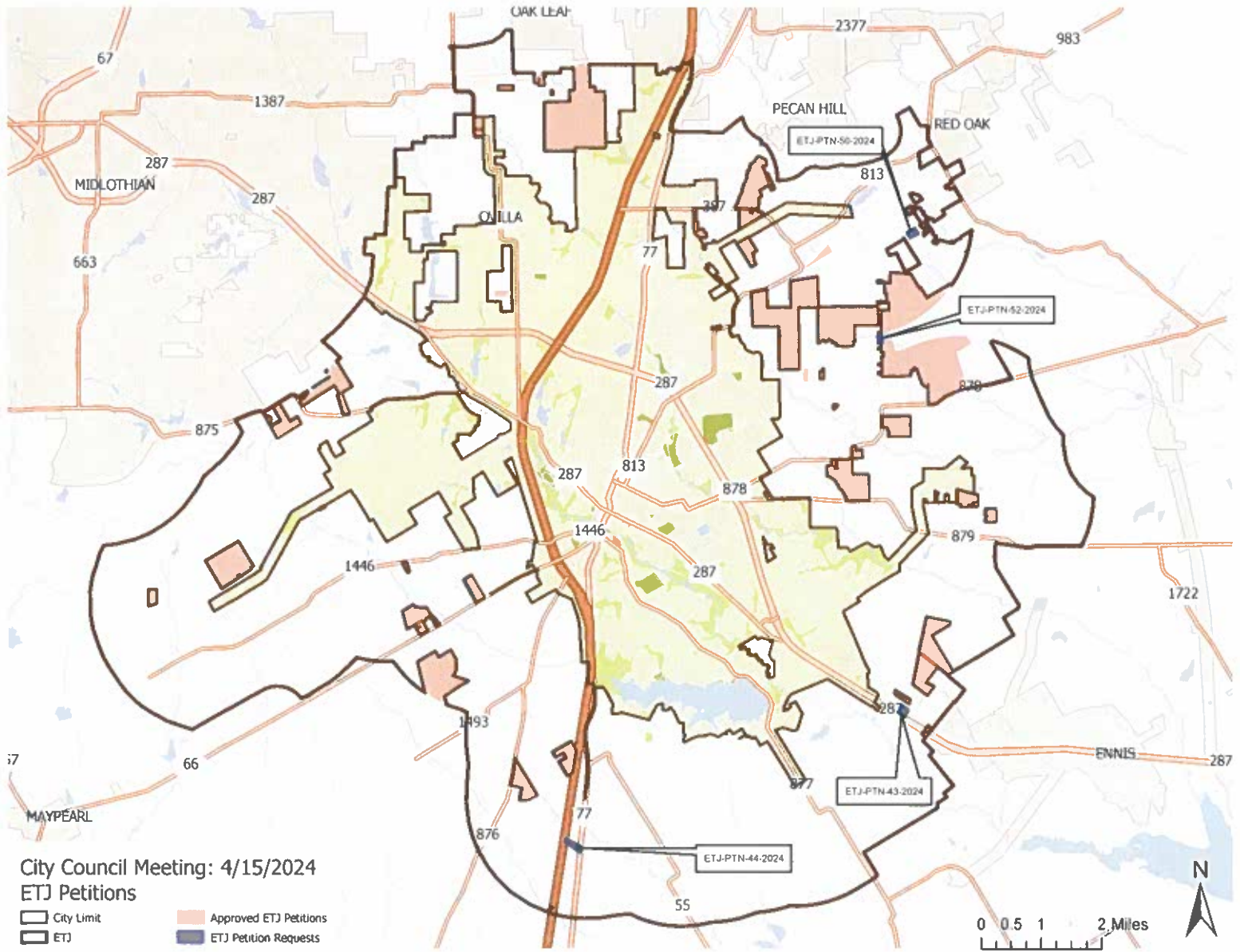
PASSED, APPROVED AND ADOPTED on this 15th day of April, 2024.

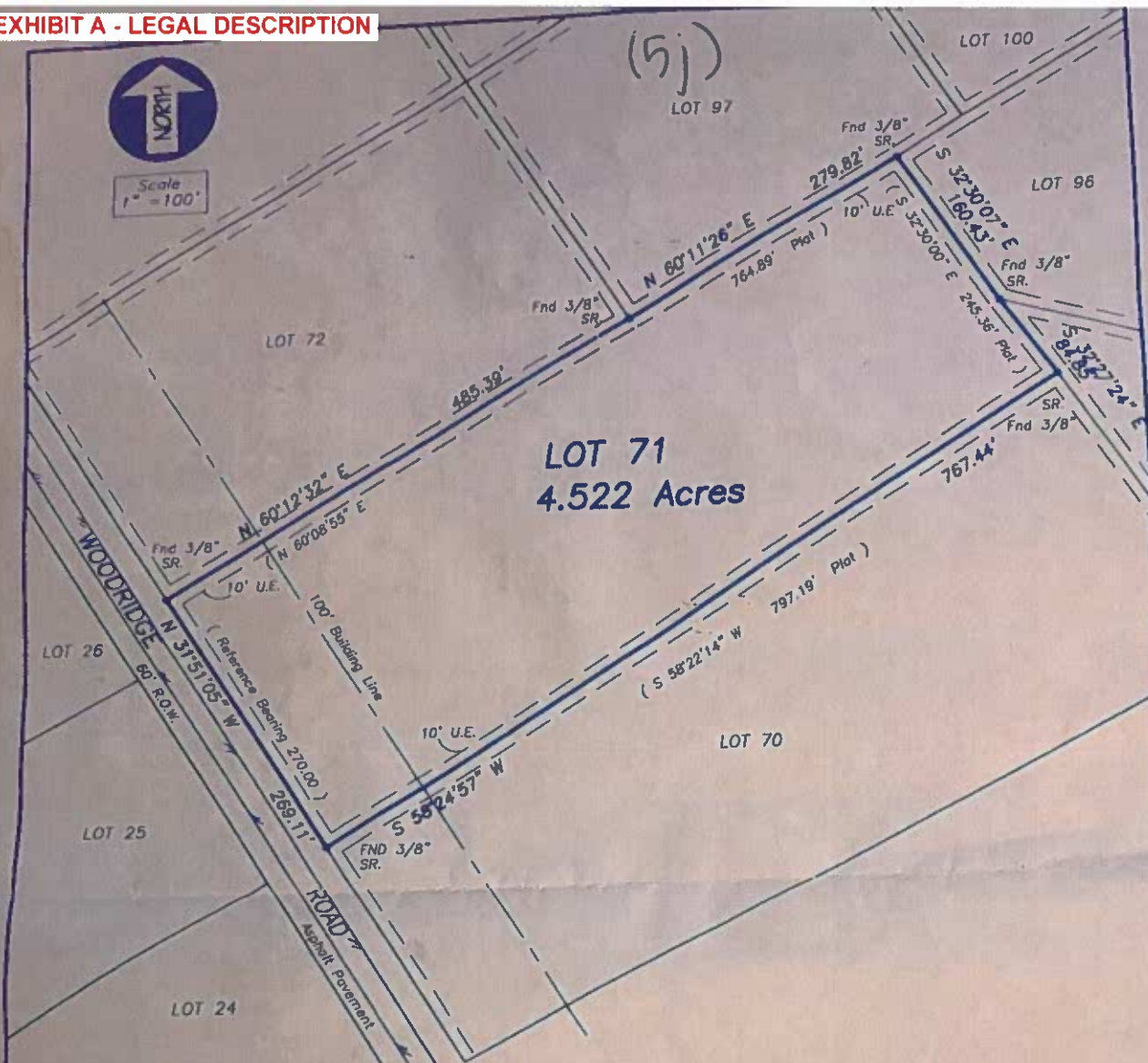
MAYOR

ATTEST:

City Secretary

(5j)





All that certain lot, tract or parcel of land being known as LOT 71
of Rutherford Crossing an Addition in
Ellis County, Texas, according to the Plat thereof recorded in Cabinet B
Slide 193, Plat Records, Ellis County, Texas.
(also known as Woodridge Road)

The Plat hereon is a true and accurate representation of the property as determined by a survey made on the ground, the lines and dimensions of said property being as indicated on the plat. The size, location and type of buildings and improvements being within the boundaries of the property lines as shown. There are no visible encroachments, protrusions or easements, except as shown on the plat. I further certify that no portion of subject property lies within a special flood hazard area, according to the Flood Insurance Rate Map for the County of Ellis, Community# 480798, Panel# 0045 B ZONE X

ENGINEERS

D & M

SURVEYORS

Walter Keven Davis

Walter Keven Davis
Registered Professional Land Surveyor
#4488

DAVIS & McDILL

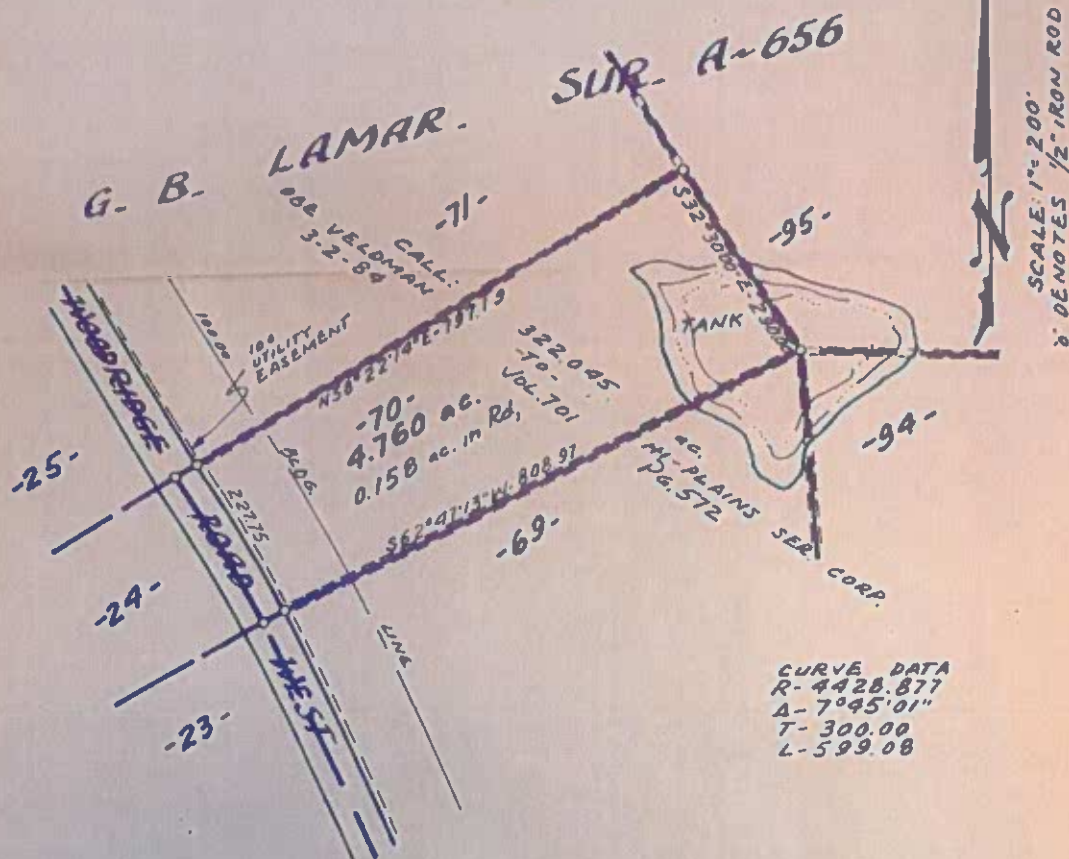
P.O. BOX 428, WAXAHACHIE, TEXAS 75165

PHONE: METRO (214) 954-1181



Description Survey Plat Client: Bob Shierk G.F.# _____
Drawn by: Terry Smith Scale: 1" = 100' Date: June 07, 1995 Job# 95-328

(5j)



PLAY OF SURVEY
SHOWING

All that certain lot, tract or parcel of land, part of the G. V. Lamar Survey, Abstract NO. 656, Ellis County, Texas, all of Tract No. 70 of Rutherford Crossing Subdivision, part of that certain called 322.045 acre tract conveyed to Hi-Plains Service Corp. by Obe Veldman on March 2, 1984 and recorded in Vol. 701 page 572 of the Deed Records of Ellis County, Texas and being more completely described as follows, to-wit:

BEGINNING at a point for corner in the centerline of Woodridge Road West, a 60.00 ft. proposed County Road and being S 41 deg. 57 min. 55 sec. E - 2187.05 ft. from the West corner of the above mentioned 322.045 acre tract, from said beginning point a $\frac{1}{4}$ " Iron rod bears N 58 deg. 22 min. 14 sec. E - 30.00 ft.

THENCE N 58 deg. 22 min. 14 sec. E, a distance of 797.19 ft. to a $\frac{1}{2}$ " Iron rod for corner.

THENCE S 32 deg. 30 min. 00 sec. E, a distance of 290.00 ft. to a point for corner within a Stock Tank.

THENCE S 62 deg. 47 min. 13 sec. W, a distance of 808.97 ft. to a point for corner in the centerline of Woodridge Road West and being in a curve, the radius point of which bears S 61 deg. 05 min. 42 sec. W - 4428.877 ft., from said point for corner a 1/4" Iron rod bears N 62 deg. 47 min. 13 sec. E - 30.01 ft.

THENCE in a Northwesterly direction with the centerline of Woodridge Road West and with a curve to the left, the angle of which is 7 deg. 45 min. 01 sec., the radius is 4428.877 ft., the tangent is 300.00 ft. and the length is 599.08 ft., a distance of 227.75 ft. to the place of beginning, containing 4.760 acres of land, of which 0.158 of an acre is within the above mentioned proposed County Road.

I, Gary Sjerven, Registered Public Surveyor No. 1693, do hereby certify that the above plat and field notes were prepared from an actual survey made by me on the ground during the month of August, 1985.

GIVEN UNDER MY HAND AND SEAL this the 14th day of August, 1985.

REGISTERED PUBLIC SURVEYOR NO. 1693



(5j)

EXHIBIT B - LOCATION MAP



(5K)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-52-2024



MEETING DATE(S)

City Council:

April 15, 2024

CAPTION

Consider proposed Ordinance approving a request by David McDill, for a **Petition for ETJ Release** for approximately 6.378 acres, located at 1643 Gibson Rd. (Property ID 219173) – Owner: Miriam Hernandez & Jaime Andrade (ETJ-PTN-52-2024).

RECOMMENDED MOTION

"I move to approve ETJ-PTN-52-2024, a request by David McDill, for a Petition for ETJ Release for approximately 6.378 acres, located 1643 Gibson Rd. N.E. of Waxahachie, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The Miriam Hernandez & Jaime Andrade has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant:

David McDill

Property Owner(s):

Miriam Hernandez & Jaime Andrade

Site Acreage:

6.378 AC

Number of Lots:

2 lots

Number of Dwelling Units:

1 unit

SUBJECT PROPERTY

General Location:

located 1643 Gibson Rd. N.E. of Waxahachie

Parcel ID Number(s):

219173

Current Zoning:

ETJ

Existing Use:

Single family residential

Platting History:

The subject property is platted as Lots 53 & 54 Hunter's Run PH.1

CCN Service Area:

Rockett Special Utility District

Site Aerial:**PLANNING ANALYSIS**

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for April 15, 2024 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION***Prepared by:***

Harper Lindamood
Planner

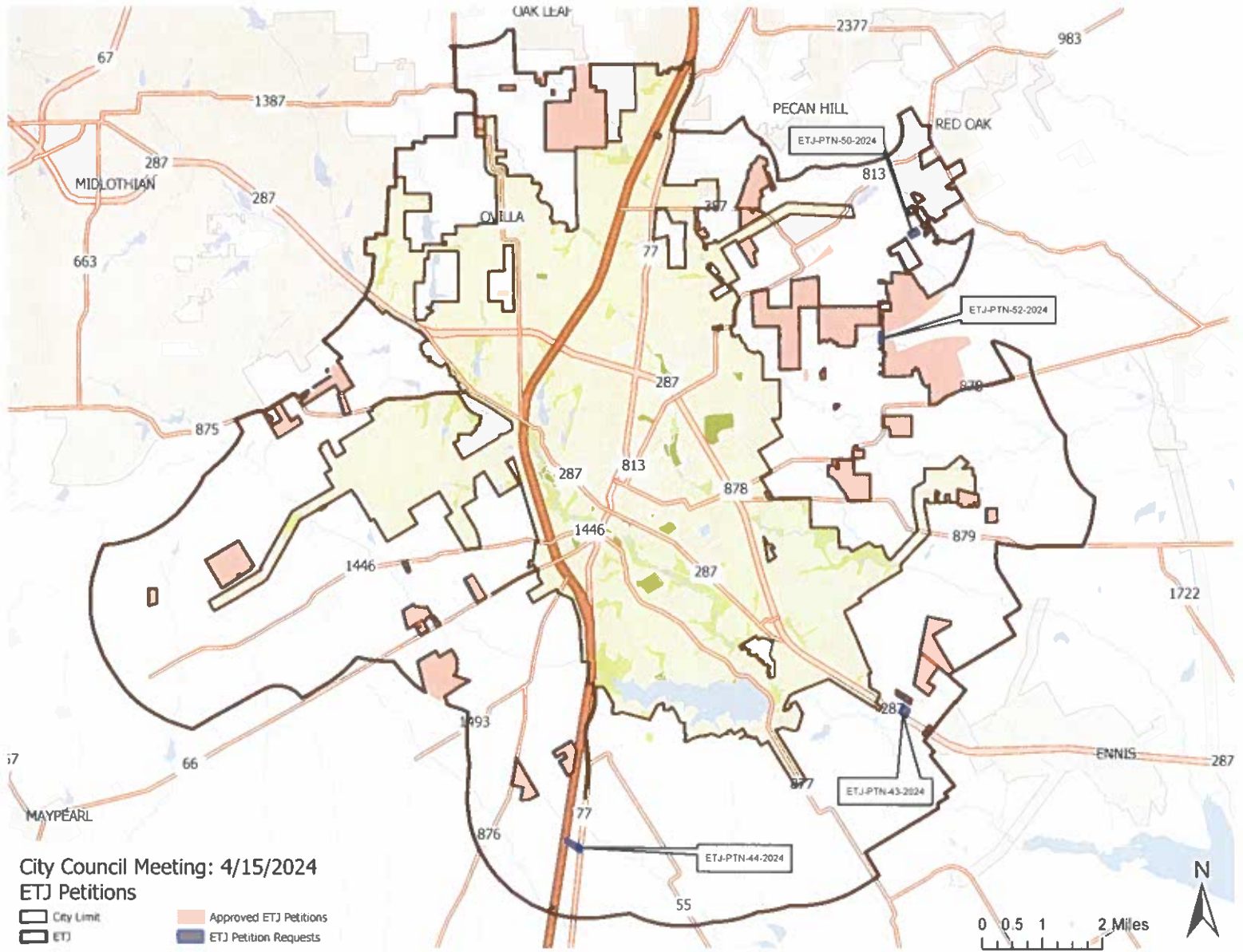
Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(5K)



(5K)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 9.282 ACRE TRACT OF LAND, LOCATED AT 16430 GIBSON RD., KNOWN AS PROPERTY ID 2191732, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-52-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 15th day of April, 2024.

MAYOR

ATTEST:

City Secretary

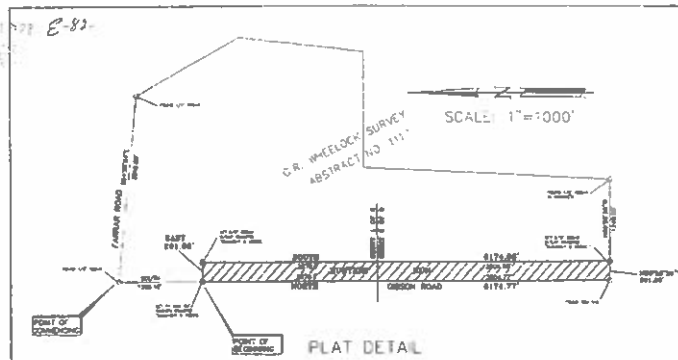
- 5455 of 7

EXHIBIT A - LEGAL DESCRIPTION

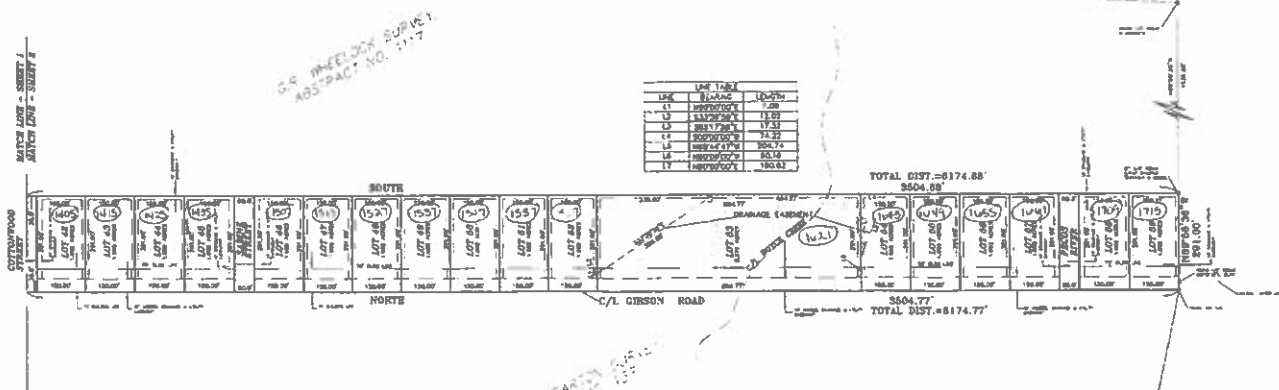


GRAPHIC SCALE IN FEET
SCALE: 1" = 200'

The House of Bearing for
this plot is the deed filed
in Vol. 730 Pg. 216 of the
Deed Records of this County Texas



LINE TABLE		
LINE	STARTING	ENDING
41	1000000000	1.00
42	1000000000	1.00
43	1000000000	1.00
44	1000000000	1.00
45	1000000000	1.00
46	1000000000	1.00
47	1000000000	1.00
48	1000000000	1.00
49	1000000000	1.00
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92	1000000000	1.00
93	1000000000	1.00
94	1000000000	1.00
95	1000000000	1.00
96	1000000000	1.00
97	1000000000	1.00
98	1000000000	1.00
99	1000000000	1.00
100	1000000000	1.00



FINAL PLAT
HUNTER'S RUN, PHASE I
34 LOTS ~ 41.251 ACRES
IN THE G.R. WHEELLOCK SURVEY.
ABSTRACT NO. 1117
ELLIS COUNTY, TEXAS

GRIER
SAKEN, INC
808 EVERTON
P.O. BOX 480
WILCOX, TEXAS 76055
(572) 723-3526

DUNAWAY ASSOCIATES, Inc.

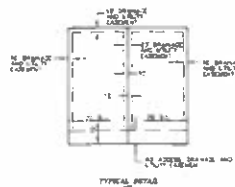
ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS
2351 W Northwest Highway Suite 3280
Dallas, Texas 75220
Phone (214)854-0121 Fax (214)854-0122

RELEASED APR 2 7 0000

SHEET OF 2

NOTES

- 1 ALL THIS FOR SANITARY SECTOR SYSTEMS FOR BL. ALTERNATIVE SYSTEMS
- 2 IN FSS NOTED OVERSEAS BEAR LOT: CORNERS ARE MARKED WITH S/R "STEE. ROD SET" WITH CAP STAMPED "DURAND & ASSOC." AND FROM LOT CORNERS ARE SET WITH THE RAIL & HARDER STAMPED "DURAND ASSOC."
- 3 ALL LOT LINES ARE PERPENDICULAR TO DISCUSS ROAD UNLESS NOTED OTHERWISE (N.C.)



1000

MacLellan
April 5, 2000

RELEASED APR 2 7 0000

SHEET OF 2

(5K)

EXHIBIT B - LOCATION MAP



(51)



Memorandum

To: Honorable Mayor and City Council
From: Alice Jauregui, Director of Communications and Marketing
Thru: Michael Scott, City Manager
Date: April 15, 2024
Re: Film Production/Street Closure for News Nation Project

The City of Waxahachie has been presented with a request to be a filming location for the News Nation television production.

The proposed filming date is Monday, April 29, from 1 p.m. to 8 p.m.

The primary impact would be a street closure in the 100 block of N. Rogers between Business 287/Main Street and Water Street.

In addition to the street closure request, additional city services essential to production are barricades, assistance from the streets department, and other miscellaneous staff as needed.

Before production, communication from the City will notify businesses in the area of the closure. Several businesses on this block are closed on Monday. We would also communicate the closure with the police and fire departments, and Waxahachie ISD for bus routes.

(51)

The diagrams and layout of the production footprint are attached, as well as a detailed schedule below.

PREPARATION AND FILMING:

- Monday April 29 at 1:00 p.m., barricade the road
- 2:00 p.m. filming crew will arrive and set up
- 3:00 p.m. casting call will begin for people and vehicles
 - There will be two rows of ten cars to simulate a traffic jam with approximately one to four people/actors in each car.
- 8:00 p.m. filming will wrap

PARKING:

The crew will park in open spaces around the courthouse and downtown, and the parking garage.

ROAD CLOSURE:

100 N. Rogers between Business 287/Main Street and Water Street (1p.m. – 8p.m.)

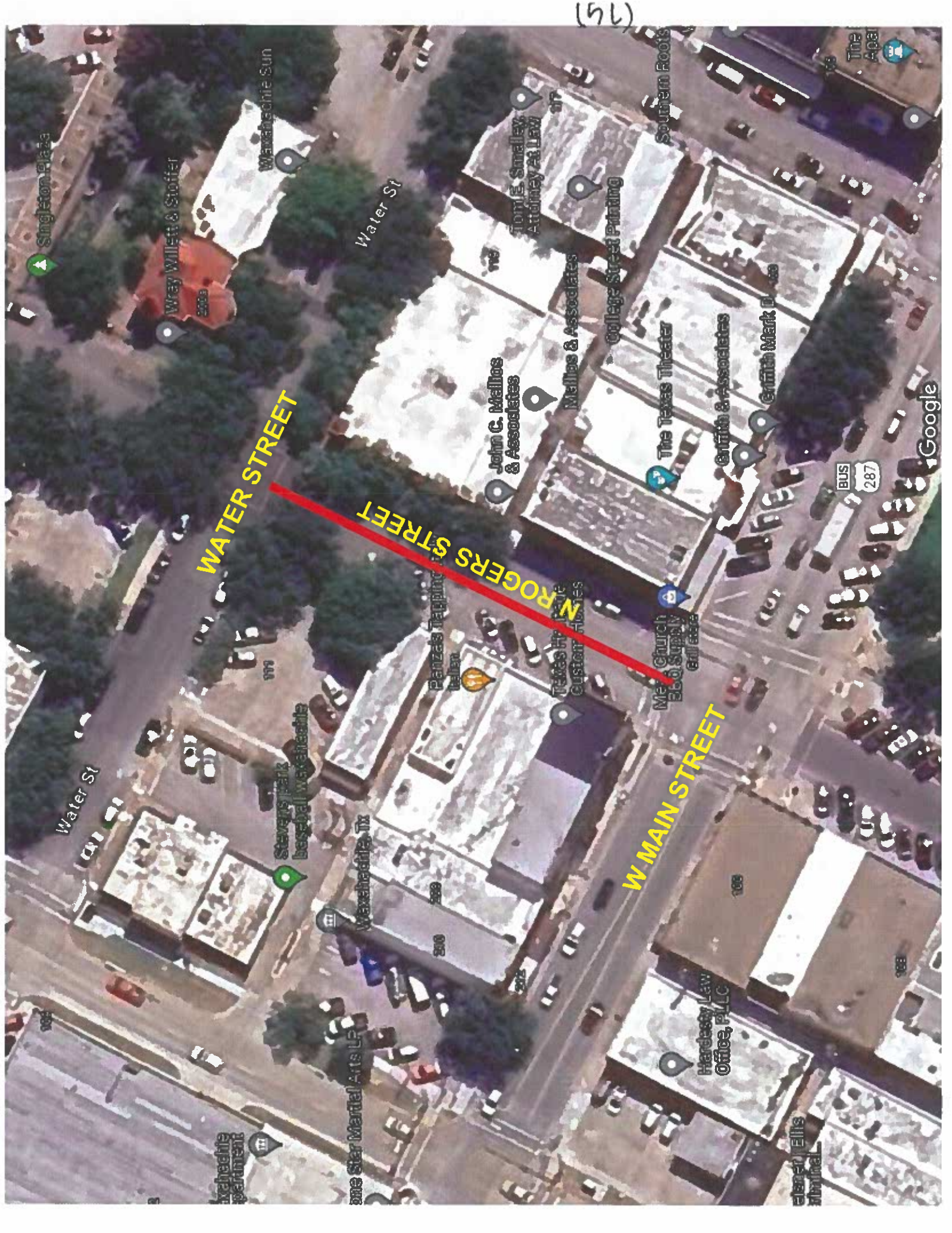
WRAP / RESTORE:

Monday, April 29, 2024

- 8:00 p.m.

BARRICADES

To be determined per Streets department.



(56)



(5m)

Memorandum

To: Honorable Mayor and City Council
From: Anthony Warren, Senior Director of Building & Community Services
Thru: Michael Scott, City Manager
Date: April 15, 2024
Re: Consider Janitorial Services Contract

Recommended Motion: "I move to approve the contract with AHI Facility Services, Inc in the amount of \$195,856.73 for janitorial and cleaning maintenance services."

Item Description: Consider awarding a three-year janitorial services contract with two one-year renewal options, with AHI Facility Services, Inc. for janitorial and cleaning maintenance services. The effective date will be May 1, 2024.

Item Summary: In February 2024, staff advertised a Request for Proposal (RFP) for the City's janitorial service needs at the following locations: 1) Charles Beatty – Municipal Services Building, 2) Civic Center, 3) Parks and Recreation Administration Building, 4) Fire Administration Building, 5) Senior Center, 6) Howard Water Treatment Plant, 7) Howard Wastewater Treatment Plant, 8) Water & Wastewater Operations Building, 9) Sokoll Water Treatment Plant, 10) Streets/Meters Department Building and 11) City Hall. Seven proposals were received and reviewed. Through a thorough evaluation process, a panel made of up representatives from each facility recommended awarding the contract to AHI Facility Services. AHI is the current janitorial services contractor and has been responsive to past requests for alterations to the cleaning schedule and areas to be cleaned.

The current janitorial services contract term has expired and services are being continued on a three-month extension that expires April 30, 2024. The new contract will be for three years with the option for two additional one-year terms. The effective date will be May 1, 2024.

Fiscal Impact: Janitorial Services was an approved item in the current budget and there are sufficient funds to cover the contract cost for the remainder of this fiscal year. The annual contract cost of \$195,856.73 will be reflected in the proposed budgets for future fiscal years.

(7)

PROCLAMATION

WHEREAS, the Texas Rangers were established in 1961 as an expansion of the Washington Senators before moving to Arlington in 1972; and

WHEREAS, the Rangers have made nine appearances in the MLB postseason, seven following division championships in 1996, 1998, 1999, 2010, 2011, 2015, and 2016 and as a wild card team in 2012 and 2023. Prior to 2010, the Rangers were the only team in MLB to have never advanced past the first round of the playoffs; and

WHEREAS, in 2010, the Rangers advanced past the division series for the first time, defeating the Tampa Bay Rays. The team then won their first American League pennant after beating the New York Yankees in six games. In the 2010 World Series, the franchise's first, the Rangers fell to the San Francisco Giants in five games. They repeated as American League champions the following year, but lost the 2011 World Series to the St. Louis Cardinals in seven games; and

WHEREAS, after 52 years, the Texas Rangers won the World Series on November 1, 2023 and their first-ever championship, defeating the Arizona Diamondbacks in five games, going an unprecedented 11-0 on the road; and

WHEREAS, the efforts of the Texas Rangers have provided the entire state with a winning spirit and valued memories to be shared with generations to come; and

NOW, THEREFORE, be it resolved that I, David Hill, Mayor of Waxahachie, along with the entire City Council, do hereby proclaim April 15, 2024 as

“TEXAS RANGERS’ DAY”

in the City of Waxahachie. We express our pride and honor to the Texas Rangers baseball organization for their accomplishments in representing Texas through their good sportsmanship and inspiring team efforts.

Proclaimed this 15th day of April 2024.

MAYOR

ATTEST:

CITY SECRETARY

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-190-2023



MEETING DATE(S)

Planning & Zoning Commission:

April 9, 2024

City Council:

April 15, 2024

CAPTION

Public Hearing on a request by Ido Pistiner, for a **Specific Use Permit (SUP)** for Short-Term Rental use within a Planned Development Single-Family -2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

RECOMMENDED MOTIONS

- "I move to deny ZDC-190-2023, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve ZDC-190-2023, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on April 9, 2024, the Commission voted 6-0 to recommend denial of case number ZDC-190-2023, subject to the conditions of the staff report.

On February 27, 2024, at the Planning and Zoning Commission meeting ZDC-190-203 was presented and a denial motion was made with a 2-2 vote. A 2-2 vote results in **no action being taken**, regardless of whether it was a motion to approve, which failed 2-2, or a motion to deny, which similarly failed 2-2.

Under Section 2.04(f)(ii) of the Zoning Ordinance, P&Z prepares a recommendation to the City Council. A recommendation requires an affirmative vote one way or the other; a tie vote is no action taken. Since P&Z took no action, the matter stays at P&Z until such time as the P&Z votes one way or the other.

APPLICANT REQUEST

The Applicant is requesting a specific use permit for a short-term rental use at 462 Wintergreen Drive.

CASE INFORMATION

Applicant:

Ido Pistiner

Property Owner(s):

Ido Pistiner

Site Acreage:

0.2 acres

Current Zoning:

Planned Development – Single-Family Dwelling 2 (PD-SF-2)

Requested Zoning:

PD-SF-2 with a specific use permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 462 Wintergreen Drive

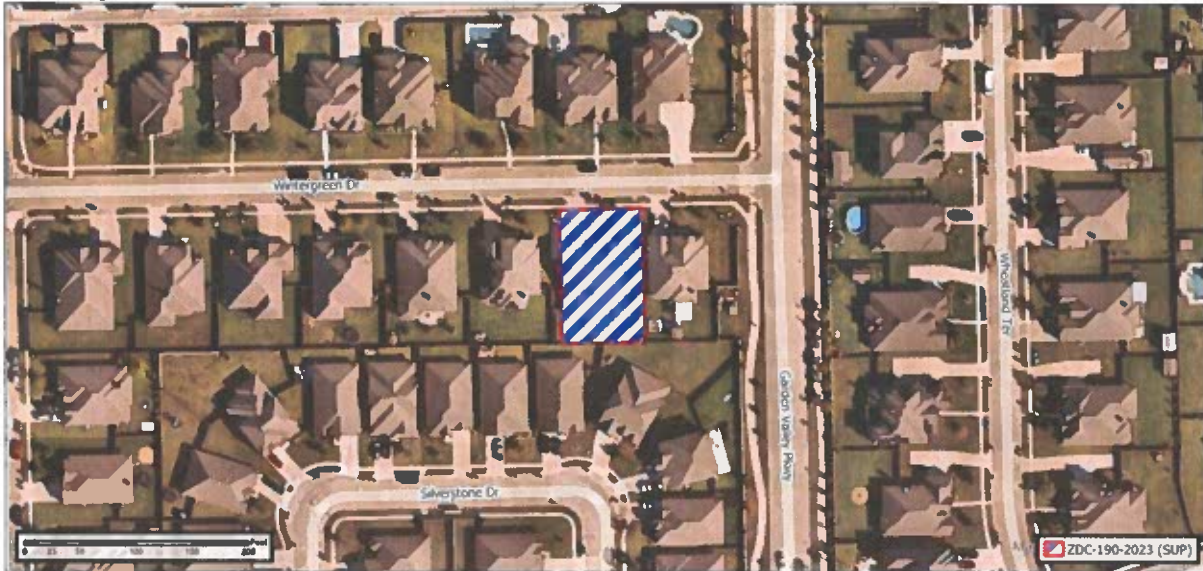
Parcel ID Number(s): 265831

Existing Use: Residential use, existing STR

Development History: A plat for the subject property was recorded in 2016

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-2	Residential use
East	PD-SF-2	Residential use
South	PD-SF-2	Residential use
West	PD-SF-2	Residential use

Site Image:**PLANNING ANALYSIS**

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental for residential-use properties in all zoning districts with an approved SUP with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The Applicant is requesting a SUP for a short-term rental at 462 Wintergreen Drive because it is located within the PD-SF-2 zoning district. The subject property consists of a primary structure of approximately 3,209 square feet with five (5) bedrooms, a pool, an accessory structure of approximately 110 square feet, and enough improved surface to accommodate for the maximum parking spaces of five (5) vehicles, situated on an approximately 0.2 acres (8,700 square feet) lot. The applicant has been operating a short-term rental since approximately October 2023. The applicant has satisfied all of the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Javier Naranjo (214) 253-3592, 610 Green Mound Drive, Glenn Heights, TX. 75154, Pondviewllc4@gmail.com, located 11.6 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 99 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of eighteen (18) letters in opposition have been received by staff, with six (6) letters being inside the 200' buffer and the remainder outside the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account.
3. The short-term rental operator is subject to a maximum occupancy of ten (10) guests per stay.
4. The short-term rental operator is subject to provide a maximum of five (5) off-street parking spaces.
5. The short-term rental operator must adhere to all regulations in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Survey (Exhibit D)
7. Host Rules (Exhibit E)

APPLICANT REQUIREMENTS

If approved by City Council, the Applicant can register their short-term rental and register for a hotel occupancy tax account, starting May 2024.

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023



LANSING RACHEL G & PATRICK J
1114 WHEATLAND TERRACE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a **Planned Development Single-Family Dwelling-2 (PD-SF-2)** zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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-190-2023

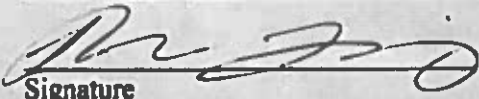
City Reference: 268908

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *February 7, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


Signature

1-28-24
Date

Rachel Lansing
Printed Name and Title

1114 Wheatland Terrace
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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

MCKAY BRYANT & DENISE
457 Wintergreen Dr
Waxahachie, TX 75165-5323

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single Family Dwelling2 (PD-SF2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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-190-2023

City Reference: 273233

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *February 7, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

This property is already being used as
an Air bnb.

Denise McKay
Signature

1/29/24
Date

DENISE MCKAY
Printed Name and Title

457 Wintergreen Dr.
Address

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

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

REC'D 01/30/2024 (8)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

◇◇◇◇

KEYS CHRYSTAL KEYS & KOREY D KEYS
453 HARVEST GROVE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

City Reference: 273244

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *February 7, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

I oppose the short-term rental in this area. Short term rentals are not allowed in the Barber Valley Meadows and since this property is located + it will affect our community, I am against it due to increasing traffic and noise in the community.

Signature Chrystal C. Keys
Chrystal L. Keys
Printed Name and Title

Date 1/29/2024
453 Harvest Grove Drive,
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.

REC'D 01/30/2024

(8)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

<><><>

CHAVARRIA ROLANDO JR
457 HARVEST GROVE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

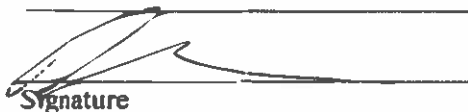
City Reference: 273242

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *February 7, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


Signature

Rolando Chavarin Jr.
Printed Name and Title

01-29-24
Date

457 Harvest Grove Dr.
Address

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

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

REC'D 01/30/2024

(8)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023



GARZA ERICA & GERARDO CLAVIJO
459 HARVEST GROVE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

City Reference: 273241

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *February 7, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Gerardo Clavijo
Signature
Gerardo Clavijo
Printed Name and Title

1/30/24
Date
459 Harvest Grove Dr
Address

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

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

(8)

Case Number: ZDC-190-2023

City Reference: 272656

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on February 7, 2024 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

I support STRs however a
RESIDENTIAL Neighborhood is NOT an appropriate location -
NO TRAFFIC GENERATION to support this use

Signature

Date

Printed Name and Title

Address

Eric English -
OWNER

1/24/24
218 GARDS CROIX

RECEIVED JAN 31 2023

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.

(8)

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-190-2023

City Reference: 265835

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on February 7, 2024 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Signature

Cody Hollingsworth
Printed Name and Title

Date

2/5/24
454 Wintergreen Dr
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.

(8)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023



GROSS JASON W & JULIE A
1101 WEATLAND TERRACE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

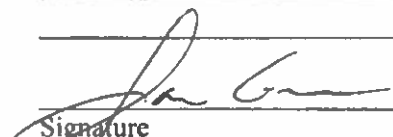
City Reference: 268918


Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *February 7, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT


☒ OPPOSE

Comments:



Signature


Printed Name and Title



Date
1101 Weatland Terrace Waxahachie

Address 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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

WHELCHER JENNIFER L & LAYNE C
456 HARVEST GROVE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a **Planned Development Single-Family Dwelling-2 (PD-SF-2)** zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

City Reference: 273224

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **February 7, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

People out on vacation are usually more loud and careless of the property and neighbors. I oppose!

Jayne Whelcher
Signature

2/8/24
Date

Layne Whelcher owner
Printed Name and Title

456 Harvest Grove Dr.
Address

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

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



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023



COBB PRINZE & KENYATTA B
465 WINTERGREEN DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 19, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

City Reference: 273229

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on February 7, 2024 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Kenyatta Cobb
Signature

Kenyatta Cobb, PT, DPT

Printed Name and Title

2/8/24
Date

465 Wintergreen
Address

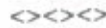
It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

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.

(8)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**



ALLEN DAVID & TIFFYNI
1117 Wheatland Ter
Waxahachie, TX 75165-1411

This letter is to notify you of the revised City Council meeting date for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie City Council will hold a Public Hearing on Monday, March 18, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: **ZDC-190-2023**

City Reference: 268925

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **March 12, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Allen David
Signature

Tiffyni Allen-Henry
Printed Name and Title

3-27-2024

Date

1117 Wheatland Ter

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.

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☐ SUPPORT☒ OPPOSE

(8)

Comments:

*I am opposed to Short-Term Rental in our
Neighbourhood Because Air B+B Renters are not attached to
our neighborhood. They don't care.*

Signature

Jose R. Diaz

Printed Name and Title

Date

*01-29-2024
458 Wintergreen Dr.
Waxahachie TX 75165*

Address

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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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

**PORTER LADONNA & HARRY
252 PRAIRIE LN
WAXAHACHIE, TX 75165**

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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-190-2023

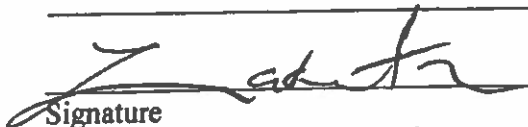
City Reference: 273256

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 3, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


Signature
Ladonna Porter (Owner)
Printed Name and Title

3/26/2024
Date
252 Prairie Lane
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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**

<><>

LANSING RACHEL G & PATRICK J
1114 WHEATLAND TERRACE
WAXAHACHIE, TX 75165

This letter is to notify you of the revised City Council meeting date for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie City Council will hold a Public Hearing on Monday, March 18, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: **ZDC-190-2023**

City Reference: 268908

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **March 12, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Signature

Rachel Lansing

Printed Name and Title

2.27.24

Date

1114 Wheatland Terrace
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.

(8)

Case Number: ZDC-190-2023

City Reference: 272656

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **March 12, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Approval of such a SUP for a STR is
NOT Appropriate or Beneficial to the Neighborhood.
It only serves to create problems.

Signature

Date

Printed Name and Title

Address

[Signature]
Eric English

3/11/24
218 Brown Creek

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.

RECEIVED MAR 05 2023



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023



GROSS JASON W & JULIE A
1101 WEATLAND TERRACE
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

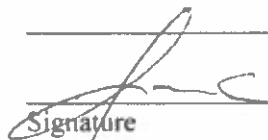
City Reference: 268918

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on April 3, 2024 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:



Signature
Jason Gross

Printed Name and Title

3/25/24

Date
1101 Weatland Ter, Waxahachie Tx 75165

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.

(9)

Case Number: **ZDC-190-2023**

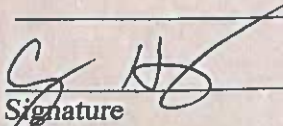
City Reference: 265835

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **April 3, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


Signature

Cody Hollingsworth
Printed Name and Title

3/24/24
Date

454 Wintergreen Dr.
Address

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

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



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

ENGLISH ERIC & VICKI S ENGLISH
1013 ADAYS RD
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-190-2023

City Reference: 272656

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on April 3, 2024 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

It is inappropriate to allow a STR in a typical neighborhood community. Allow the STR in entertainment, business or downtown.

Signature

Date

Printed Name and Title

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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**
◇◇◇◇

HOLLEY FELICIA
464 WINTERGREEN DR
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: **ZDC-190-2023**

City Reference: 265830

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **April 3, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Felic Holley
Signature

Felicia Holley
Printed Name and Title

Date

3-28-2024
464 Wintergreen Dr

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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**

COBB PRINZE & KENYATTA B
465 WINTERGREEN DR
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: **ZDC-190-2023**

City Reference: 273229

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **April 3, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

K. Cobb

Signature

3/28/24

Date

Kenyatta Cobb

Printed Name and Title

465 Wintergreen Dr.

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.



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**

(8)

MCKAY BRYANT & DENISE
457 Wintergreen Dr
Waxahachie, TX 75165-5323

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: **ZDC-190-2023**

City Reference: 273233

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **April 3, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Denise McKay
Signature

DENISE MCKAY
Printed Name and Title

3/28/24
Date

457 Wintergreen Dr.
Address Waxahachie

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

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



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

STEVENS BRANDON & CHRISTINA MARTIN
461 WINTERGREEN DR
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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Case Number: ZDC-190-2023

City Reference: 273231

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☐ SUPPORT

☒ OPPOSE

Comments:

Our Family does not support this in ANYWAY!
They are already renting this property out & we don't know
who is living next to us & our children

Signature

Date

Brandon Stevens
Printed Name and Title

3/29/24
461 Wintergreen Dr
Address Waxahachie 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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**

DIAZ JOSE & MARIA O QUINONEZ
458 WINTERGREEN DR
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: **ZDC-190-2023**

City Reference: 265833

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **April 3, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

I am oppose due to that Air bnb people don't care about our neighborhood.

Signature

Printed Name and Title

Jose R. Diaz
Jose R. Diaz

Date

Address

03-29-2024
458 Wintergreen Dr.
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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-190-2023

CLARK MARY L
224 NORTH STAR LN
WAXAHACHIE, TX 75165-1590

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-190-2023

City Reference: 265838

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on April 3, 2024 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

We moved into this neighborhood because it
is a nice family friendly location. Short term
rentals have a proven track record of ruining that.
M. S. Clark 4/2/2024

Signature

Date

Mary L. Clark
Printed Name and Title

224 North Star Ln
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.



(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**

LAMPKIN QUALEN & TAMEKA
465 SILVERSTONE DR
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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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-190-2023**

City Reference: 272615

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☐ SUPPORT

☒ OPPOSE

Comments:

Qualen & Tameka Lampkin

Signature

Qualen & Tameka Lampkin

Printed Name and Title

4/3/2024

Date

465 Silverstone Dr

Address

Waxahachie, TX 75165

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

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(8)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-190-2023**

◇◇◇◇

RECEIVED APR 03 2024

FARNSWORTH KENNETH W & JANET R
455 WINTERGREEN DR
WAXAHACHIE, TX 75165

This letter is to notify you of the revised Planning & Zoning Commission and City Council meeting dates for a request for a Specific Use Permit (SUP) to allow a Short-Term Rental at 462 Wintergreen Drive. The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ido Pistiner, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development Single-Family Dwelling-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-190-2023) Staff: Oanh Vu

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-190-2023**

City Reference: 273234

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **April 3, 2024** 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Janet R Farnsworth
Signature

4-3-2024
Date

Janet R Farnsworth
Printed Name and Title

455 Wintergreen Dr.
Address

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

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

(9)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A PLANNED DEVELOPMENT DISTRICT – SINGLE-FAMILY DWELLING 2 (PD-SF-2) LOCATED AT 462 WINTERGREEN DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.20 ACRES KNOWN AS PROPERTY ID 265831, 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 adopted a zoning ordinance and map showing the classification of the 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-190-2023. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for denial; 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 City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from PD-SF-2 to PD-SF-2, with an SUP in order to allow a Short-Term Rental use on the following property: Property ID 265831, which is shown on the location map (Exhibit A), zoning map (Exhibit B), floorplan (Exhibit C), survey (Exhibit D), and host rules (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 the Zoning Ordinance.

(9)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN THE PLANNED DEVELOPMENT – SINGLE-FAMILY DWELLING-2 (PD-SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-190-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floorplan, Exhibit D – Survey, Exhibit E – Host Rules.
3. The Applicant and/or Developer for the subject property shall be responsible for obtaining registration per the City's applicable rules and regulations governing such permits.
4. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
5. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
6. City Council shall have the right to review the Specific Use Permit at any point, necessary.

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, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The owner/short-term rental operator is subject to a maximum occupancy of ten (10) guests per stay.
6. The short-term rental operator is subject to provide a maximum of five (5) off-street parking spaces.
7. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
8. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

(9)

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 April, 2024.

MAYOR

ATTEST:

City Secretary

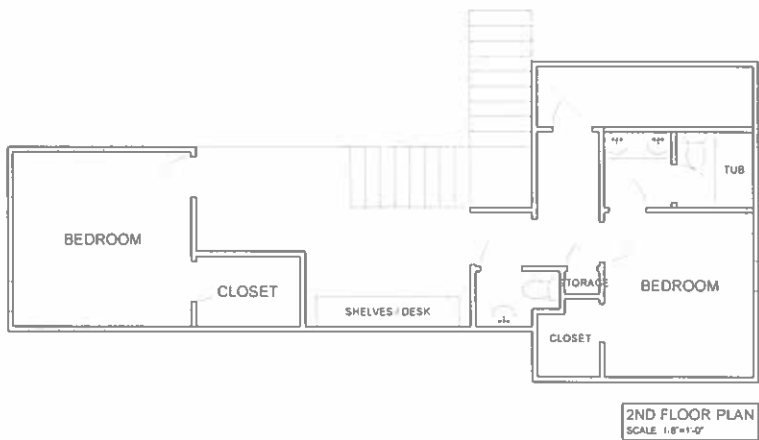
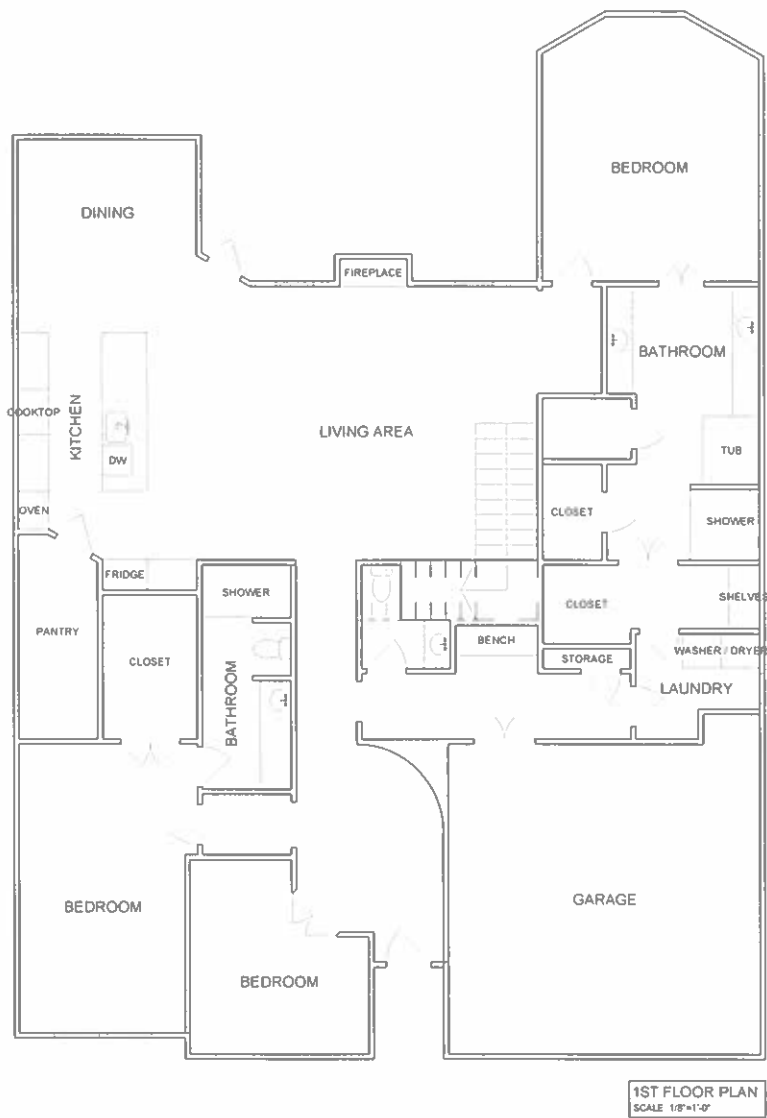
(9)



EXHIBIT C - FLOOR PLAN

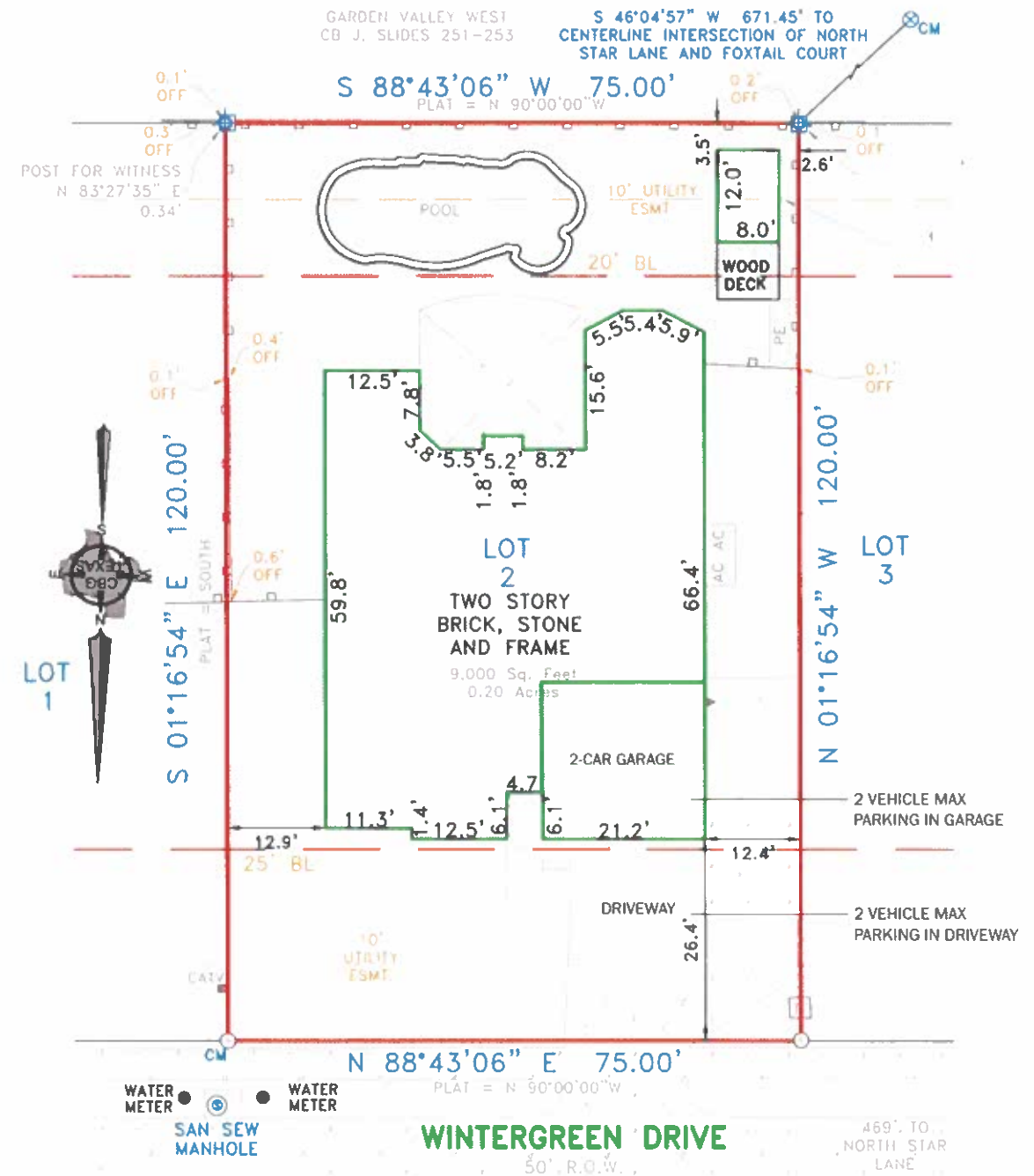
462 Wintergreen Dr, Waxahachie, TX 75165

(9)



(a)

462 Wintergreen Dr, Waxahachie, TX 75165
Total Square Footage of Home: 3,209 square feet



WELCOME

*A GUIDE FOR
YOUR STAY!*

MODERN OLYMPUS VIEW OASIS
+ POOL

462 WINTERGREEN DRIVE,
WAXAHACHIE, TX,
75165, US



MEET YOUR HOST

Greetings,

Over the past years, I have had the privilege of traveling at my previous position. During this time, I encountered Airbnb and its captivating concept.

I made the decision to extend this experience to others in Texas, It is my desire to open the doors of my homes, in the hopes that you will find your stay to be nothing short of exceptional.

I'm here for you any time of the day. Your comfort and satisfaction are importance to me.

+1 (512) 766-0590 | dafneerentals@gmail.com | www.bluevets.com



ABOUT THE HOUSE

Step into a world of timeless beauty and luxury at our exquisite Greek-inspired villa. Nestled in the heart of Waxahachie, this stunning retreat is a sanctuary of elegance, comfort, and natural splendor. With its harmonious blend of classic Greek design and modern amenities, our villa promises an unforgettable getaway.

Kitchen and other Spaces:

Kitchen is fully loaded with pots, pans, silverware, kitchen utensils, plates and much more, perfect for preparing meals with a large dining table, kitchen bar area and breakfast nook.

An aerial photograph of a property, showing a paved driveway, a lawn, and some garden beds. The image is used as a background for the text on the page.

HOUSE GUIDE

PARKING

All cars must be parked on the driveway or inside the parking garage, not on the street.

GUEST ACCESS

Enjoy the comfort and convenience of a self-check-in. One day prior to your arrival you will receive an email that walks you through the process and answers any last-minute concerns. If you still have questions, we're available for you! Please don't hesitate to reach out to us at any time - we are here to please :)

PET FRIENDLY STAY

Don't leave your furry friends behind! Bring them along for a perfect Texas vacation. We welcome house-trained pets for a surcharge to cover cleaning fees. Please inform us in advance, and we'll make all the necessary arrangements to accommodate your four-legged companions.
Pet fee: \$75 USD per pet per stay.

GARDEN/POOL AREA

This home boasts a lovely garden and pool area where you might encounter wildlife and occasional outdoor insects (e.g., spiders, ladybugs, ants, or bees). None of these bugs are harmful, and we are happy to remove them. We work diligently to keep the property clean and conduct monthly pest control.



WIFI IS ON THE HOUSE

NETWORK Wintergreen

PASSWORD youenjoythelife

EMERGENCY INFORMATION

HOST CONTACT

PHONE: 1 (512) 766-0590

EMAIL: dafneerentals@gmail.com

***COVID-19 SANITIZATION ***

Your health and safety are our top priorities. We follow a rigorous cleaning process after every check-out to ensure your peace of mind.

*** ADDITIONAL NIGHTLY RATE FOR 6+ GUESTS ***

Our nightly rate covers the first 6 guests. For each additional guest, a fee of \$29/night will be applied.

***ENTERTAINMENT ***

Enjoy your favorite shows and movies on our smart TVs equipped with streaming apps like Netflix, Amazon, YouTube, along with cable TV. Login information is available upon request.



*** POOL ***

Our pool is maintained once a week, with access through the backyard door. Its use is at the renter's own risk and responsibility. Please note that our pool is outdoor and not heated.

***SECURITY CAMERAS ***

For your safety, we have installed 2 security cameras—one at the front door facing the front yard and the other in pool area. These cameras record 24/7 for security purposes but do not intrude on your privacy inside the house.



CHECK IN CHECK OUT

CHECK IN TIME: 4:00 PM

CHECK OUT TIME: 10:00 AM

Enjoy the comfort and convenience of a self-check-in. One day prior to your arrival you will receive an email that walks you through the process and answers any last-minute concerns. If you still have questions, we're available for you! Please don't hesitate to reach out to us at any time - we are here to please :)

HOUSE RULES

01

PET-FRIENDLY

Don't leave your furry friends behind! Bring them along for a perfect Texas vacation. We welcome house-trained pets for a surcharge to cover cleaning fees. Please inform us in advance, and we'll make all the necessary arrangements to accommodate your four-legged companions. Pet fee: \$75 USD per pet per stay.

02

NO SMOKING

Smoking inside the property is strictly prohibited, with a \$750 fine for violations.

03

NO PARTIES

While we hope you enjoy your stay, please note that only registered guests are allowed to sleep over during your rental. If you have any questions or uncertainties regarding these restrictions, please consult with us before booking.

04

GARDEN/POOL AREA

This home boasts a lovely garden and pool area where you might encounter wildlife and occasional outdoor insects (e.g., spiders, ladybugs, ants, or bees). None of these bugs are harmful, and we are happy to remove them. We work diligently to keep the property clean and conduct monthly pest control.



THE SPACE



KITCHEN SPACE

BEDROOMS

Bedroom 1

Masters room with attached bathroom & TV (Downstairs')

1 King bed

Bedroom 2 (Downstairs')

1 Queen bed

Bedroom 3 with attached Bathroom (Downstairs')

- 2 Bunk Bed (Downstairs') - queen over queen

Bedroom 4 (Upstairs') + Bathroom + 1 Queen Bed

Bedroom 5 (Upstairs')

2 Twin over twin bunk bed

Kitchen is fully loaded with pots, pans, silverware, kitchen utensils, plates and much more, perfect for preparing meals with a large dining table, kitchen bar area and breakfast nook.

TOTAL MAXIMUM ALLOWED GUEST IS 10 ONLY

GETTING AROUND



TAXI & AIRPORT SHUTTLE

Local Taxi Services: You can search for local taxi services in Waxahachie, TX, and call them to book a taxi. Some popular taxi services in the area include Yellow Cab and Waxahachie Taxi Service

BUS & TRAIN SCHEDULE

Waxahachie Public Transit (WPT):

- Website: Waxahachie Public Transit
- Phone Number: (469) 309-4279

CASINOS R' US TRANSPORTATION

- casinosrus.org

BICYCLE RENTAL

Come explore Waxahachie on a Pedego electric bike! There is nothing else like it! Choose from hourly, half-day, or full-day rentals and experience what "fun" really is! Book Here -

<https://www.viator.com/tours/Dallas/Electric-Bike-Rental/>

THINGS TO DO

Wacky Waxahatchie Scavenger Hunt

Guests get to discover in an alternate reality our favorite hidden gems off the beaten trail and creatively interpret fun art, history, and culture clues - for points! They get to enjoy fame and glory while appearing on our website's international leaderboard,

JFK Assassination and Museum Tour with Lee Harvey Oswald Rooming House

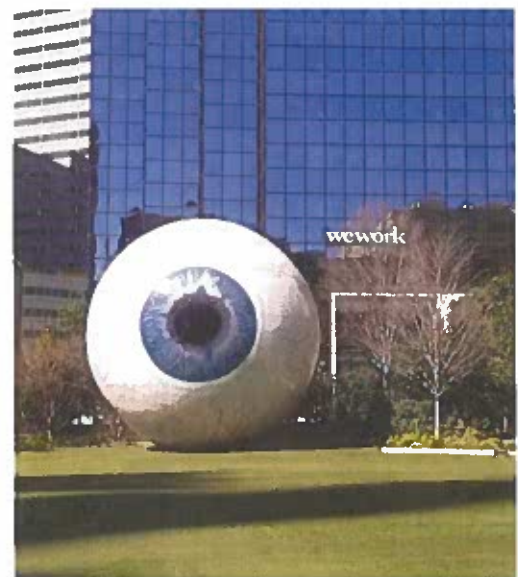
The circumstances of JFK's assassination are controversial. During this guided tour, a historian helps you separate the facts, stories, and theories behind that pivotal day in 1963. Visit both the Grassy Knoll in Dealey Plaza and the John F. Kennedy Memorial during this tour that includes entrance fees and round-trip transport.

Sightseeing Tour of Dallas

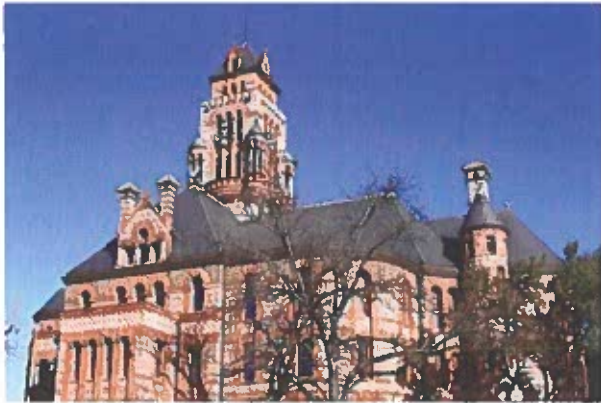
See the best of Dallas without missing out on the history surrounding JFK's assassination with this combination tour. This guided tour begins at JFK Memorial Plaza and travels you through the city's cultural and historical landmarks. Pass by Old Red Museum, Deep Ellum, and the AT&T Discovery District. Stop for photo ops at the Giant Eyeball, Dealey Plaza, and Pioneer Plaza.

John F. Kennedy Trolley Tour in Dallas

This is the original JFK tour taking you back in history to November 22, 1963. You will travel through the city streets of Dallas, down the motorcade route, through Dealey Plaza, and then the trolley leaves downtown and follows the timeline of Lee Harvey Oswald. You'll see the Texas Theater, the Officer JD Tippett murder scene, Oswald's rooming house, old city jail, Jack Ruby's dance club, and old county jail. Our JFK tour covers all four days surrounding the assassination.



PLACES TO SEE



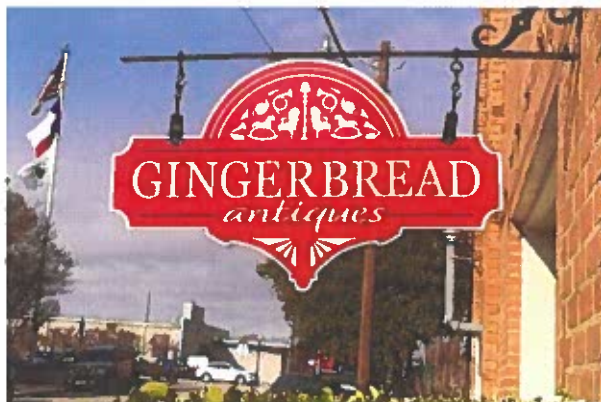
Ellis County Courthouse

The courthouse is beautiful both inside and outside. The stairwell is gorgeous and worth the trip inside to see. I was also able to see the courtroom for the Justice of the Peace. I am always so happy to see history like this preserved.



Munster Mansion

My family of five visited the Munster mansion. Of all of us, I had the most knowledge of this 1960s television show. Visiting this house has inspired me to try to watch this series again. My children thought the house was so neat and one of the most interesting stops that we made on our trip through Texas. The owner of the house was so friendly and nice. I recommend this to anyone who likes something different and of course to anyone who is interested in classic television.



Gingerbread Antiques

Conveniently located in historic downtown Waxahachie, Gingerbread Antiques celebrates 20 years as a high quality antique mall. We specialize in vintage antiques, collectibles, Victorian furniture and the area's largest collection of Fiestaware. Come discover Texas' most unique antiques!

BEST RESTAURANTS

The Doves Nest Restaurant

A lovely lunch place in historic downtown Waxahachie. Part boutique/gift shop, part lunchtime only restaurant. Casual & relaxed atmosphere, with a comfort food menu with lots of healthy options.



Tuscan Slice

We started off with appetizers (stuffed mushrooms and fried calamari). I had the lasagna and my wife had the seafood manicotti. All the food came out nice and hot and delicious. Our server was excellent and kept our table replenished with hot, buttery flatbread. All in all, a great experience. I'd recommend it to anyone who likes Italian food!

Pop's Burger Stand

Pop's Burger Stand was packed, even for an early lunch, which is always a good sign! Stepping in, is like stepping back in time. Old memorabilia clads the walls: old signs, faded photos, and Christmas lights. You eat yourself, so step up to the counter, order, and find your table

El Mexicano

Service was fast friendly and authentically family run. For came quick and was incredible. I travel all week long and live on the road. They had the absolute best hot salsa with their chips I think I've ever had. We'll done! Highly recommend

BEST BARS & WINERIES



College Street Pub

AWESOME PLACE! Sat outdoors. Server was delightful. Fried onion rings are the best ever!! Customers and staff greeted us as we entered and as we left. A charming, hometown feel with a cozy atmosphere. Food was DELICIOUS!

Fat Tuesday

Great and friendly service, if you're not sure what you'll like they'll offer a sample. Eye Candy with an extra shot was fantabulous!

Cotton Patch Cafe

Put a description here of the restaurant. Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua.

Prime 115

The Perfect meal. The Perfect ambiance. The Perfect Town. That's the vision that led us, and ultimately you, to Prime 115. Comfortably nestled in the historic town of Waxahachie, TX, we bring big-city fine dining close to home with an experience that is both

NEAREST SHOPPING



Paris Market

One if the best antique stores in waxahachie. Friendly staff and awesome finds for everyone

The Velvet Angel Boutique

Fashion & frills galore! Lots of trendy affordable clothing and great gifts. Large amount of inventory- we get new shipments everyday!

Waxahachie Architectural Salvage

If you love all things junk, stop by and see us! We offer Reclaimed lumber, doors, windows, architectural/industrial salvage & antiques, custom projects!

Webb Gallery

This is one of the largest folk art galleries in Texas, with all sorts of items for sale.



BEFORE YOU GO

- ☒ LOAD DISHES INTO THE DISHWASHER
- ☒ EMPTY ANY USED FOOD IN THE FRIDGE
- ☒ PUT GARBAGE IN THE BINS OUTSIDE
- ☒ TURN OUT ALL THE LIGHTS
- ☒ LOCK ALL WINDOWS AND DOORS
- ☒ RETURN KEYS TO ORIGINAL LOCATION

THANK YOU SO MUCH FOR STAYING WITH US.
PLEASE COME BACK AGAIN!



TIPS FOR YOUR STAY

01

Communication: Maintain clear and open communication with the host before, during, and after your stay. Discuss any concerns or questions you might have before arrival.

02

House Rules: Familiarize yourself with the house rules provided by the host. Respect the rules to maintain a good relationship with the host and ensure a smooth stay.

03

Security and Safety: Be mindful of the security of the property. Lock all doors and windows when leaving, and ensure that all valuable belongings are secure.



We loved this house! It was very clean with a beautiful pool and yard. A block away from a nice park for the Grandkids and the dogs to run and chase a ball. There was good "community space" in the house inside and out for gathering and talking. Daphne was very responsive and took care of anything we required. I would highly recommend this property, and I can tell you we will rent again when we go back to Dallas for our next visit.



Great place, very accommodating for our big group. Communicative hosts and very helpful! Would definitely book again!

PLEASE LEAVE US A REVIEW IF YOU LIKE OUR HOUSE!



GET IN TOUCH WITH US!



www.bluevets.com



+1 (512) 766-0590

Modern Olympus
View Oasis + Pool



THANK YOU

PLEASE ENJOY YOUR STAY

Modern Olympus View Oasis + Pool
462 Wintergreen Drive, Waxahachie, TX,
75165, US

(10+11)

Planning & Zoning Department Plat Staff Report

Case: SUB-29-2024



MEETING DATE(S)

Planning & Zoning Commission:

April 9, 2024

City Council:

April 15, 2024

CAPTION

Public Hearing on a request by Brad Yates, for a **Replat** of Lot 4, Block 1 of the Nora Alexander's Subdivision, to create Lots 4A and 4B, Block 1 of the Nora Alexander's Subdivision, 2 residential lots, being 0.2695 acres, located at 500 Farley Street (Property ID: 172064) – Owner: Loren Gray Investments LLC (SUB-29-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-29-2024, a Replat of the Nora Alexander's Subdivision, subject to the conditions the staff report."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on April 9, 2024, the Commission voted 6-0 to recommend approval of case number SUB-29-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests to replat the property from one (1) lot into two (2) lots for residential use.

CASE INFORMATION

Applicant: Brad Yates

Property Owner(s): Brad Yates

Site Acreage: 0.2695 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: N/A

Adequate Public Facilities: Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location: 500 Farley Street

Parcel ID Number(s): 172064

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

Existing Use: The subject property is currently vacant.

Platting History: The subject property is currently platted as Lot 4, Block 1 of the Nora Alexander's Subdivision

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to replat the subject property from one (1) lot into two (2) lots for single family residential use. The subject property is currently comprised of a single platted lot and is located within the Infill Overlay District. As part of the review of the plat application, staff identified multiple additional technical errors that conflict with the requirements of the Waxahachie Subdivision Ordinance. These errors have been identified as conditions of approval in the staff recommendation section below.

Variance Request – Minimum Lot Size

The Infill Overlay District requires newly proposed lots to be at least 90% of the average size of existing lots within 50' of the subject property. In this case, the average lot size within 50' of the subject property is approximately 9,688 square feet. The two lots proposed with this Replat are approximately 5,637 square feet and 5,519 square feet. While the proposed lots do not meet the size requirement of the Infill Overlay District based on properties within 50', the lot sizes are consistent with existing properties in the larger Nora Alexander Subdivision. For example, several existing lots along Rosa Street and Joseph Street that are located between 50' and 150' away from the subject property are less than 5,000 square feet in size. Due to consistency with the neighborhood as a whole, staff is supportive of the variance request for lot sizes below the typical minimum requirement of the Infill Overlay District.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 29 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.

PUBLIC NOTIFICATION RESPONSES

Staff has received two (2) letter of support for the Replat request.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Replat request, subject to the conditions listed below.

Conditions:

1. Per Section 2.3.a.2 of the Waxahachie Subdivision Ordinance, a title search is required to be performed to locate all easements on the property.
2. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only easements need to be shown on the plat, not build lines (setbacks). Remove setback lines from the lots on the plat.
3. Per Section 2.4.c.18 and 2.4.c.25 of the Waxahachie Subdivision Ordinance, the boundary displayed on the Replat and the legal description need to match. Please revise accordingly.
4. Per Section 2.4.c.20 and 3.1.a of the Waxahachie Subdivision Ordinance: Label the existing ROW width. Farley is on the City's thoroughfare plan as a 60ft ROW. Ensure 30ft is dedicated from the center line of the road via the addition of a measurement to the Replat.
5. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for the POB.
6. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-29-2024", revise accordingly.
7. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, correct acreage is required to be noted in the Owner's Certificate. There is a discrepancy in total acreage referenced on the plat. Verify the correct acreage and eliminate the discrepancy.
8. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, an Attest line is needed for the Planning & Zoning Commission signature block.
9. Per Section 3.1.m of the Waxahachie Subdivision Ordinance, all streets are not shown on the Waxahachie Thoroughfare Plan are required to comply as shown in the C&D Manual. The C&D Manual requires the minimum ROW width for residential streets to be 50ft. Dedicate 25ft from the centerline of the road.
10. Per Section 3.3.a of the Waxahachie Subdivision Ordinance, a 15' utility easement is required adjacent to all street rights-of-way.
11. Per Section 3.5.a of the Waxahachie Subdivision Ordinance, sidewalks are required along the road frontage.
12. Per Section 4.2.a of the Waxahachie Subdivision Ordinance, the most recent FEMA FIRM is required to be referenced. Revise to reflect the October 2023 Ellis County PMR.
13. Per Section 5.6.d and 5.7.a.8 of the Waxahachie Subdivision Ordinance, add a note that retaining walls/fences shall not be installed within utility easements.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Replat

APPLICANT REQUIREMENTS

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

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:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(10411)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-29-2024
◇◇◇

ELM ST PROPERTIES LLC
200 S ELM ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Brad Yates, for a **Replat** of Lot 4, Block 1 of the Nora Alexander's Subdivision, to create Lots 4A and 4B, Block 1 of the Nora Alexander's Subdivision, 2 residential lots, being 0.2695 acres, located at 500 Farley Street (Property ID: 172064) – Owner: Loren Gray Investments LLC (SUB-29-2024) Staff: Zack King

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: SUB-29-2024

City Reference: 172049

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 3, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

Comments:

☒ SUPPORT

☐ OPPOSE

Signature

Printed Name and Title

Date

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.

(10+11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-29-2024

RECEIVED MAR 27 2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Brad Yates, for a **Replat** of Lot 4, Block 1 of the Nora Alexander's Subdivision, to create Lots 4A and 4B, Block 1 of the Nora Alexander's Subdivision, 2 residential lots, being 0.2695 acres, located at 500 Farley Street (Property ID: 172064) – Owner: Loren Gray Investments LLC (SUB-29-2024) Staff: Zack King

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: SUB-29-2024

City Reference: 172064

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 3, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

*Will be consistent with other replats already approved
as a great addition to the neighborhood*

Signature

Brad Yates owner

Printed Name and Title

Date

3/22/24

Address

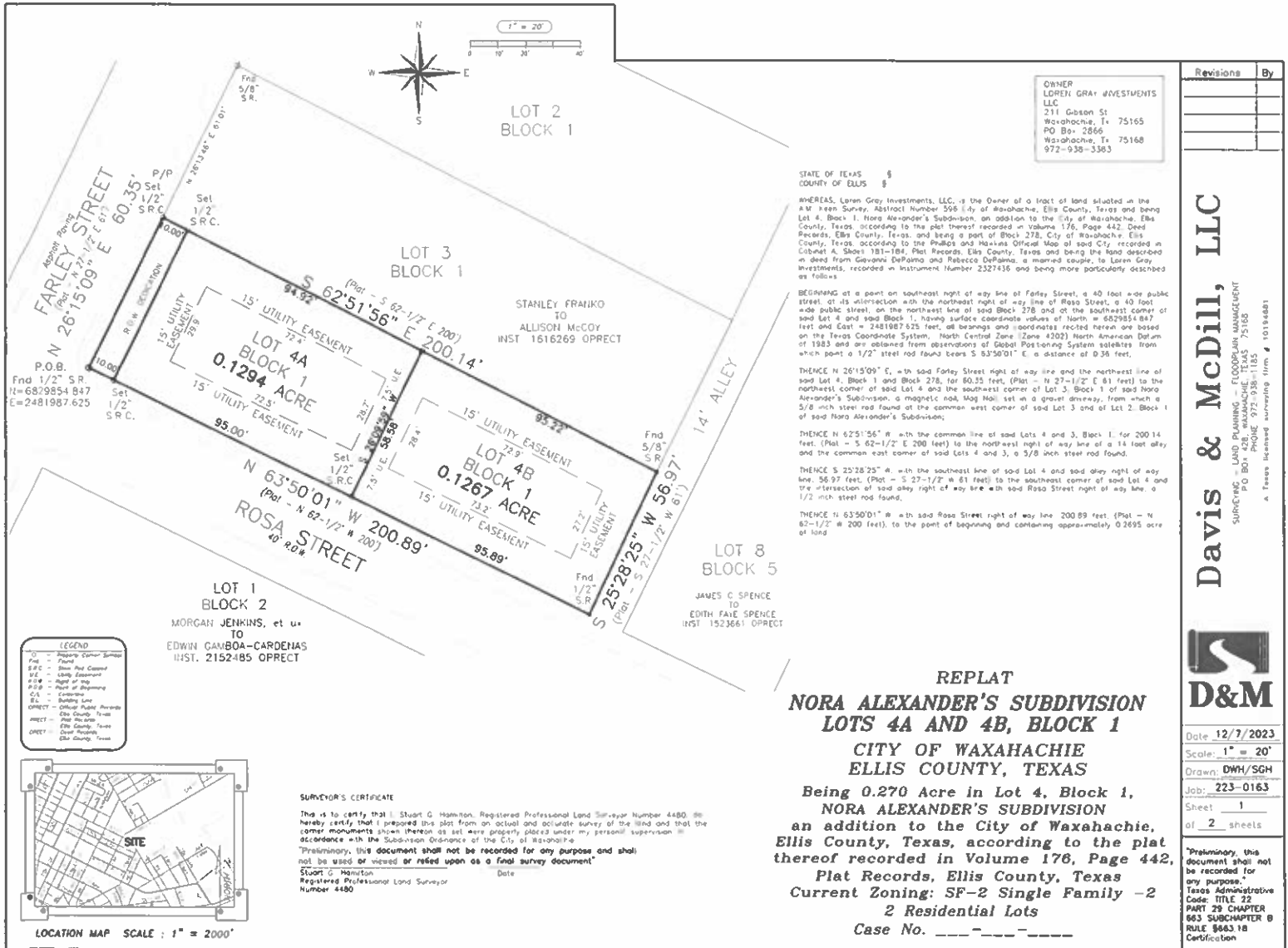
PO Box 2868

Waxahachie, TX 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.

(10+11)



(12 + 13)

Planning & Zoning Department Plat Staff Report

Case: SUB-49-2024



MEETING DATE(S)

Planning & Zoning Commission:
City Council:

April 9, 2024
April 15, 2024

CAPTION

Public Hearing on a request by Joseph Flournoy, Energy Renovation Center, for a **Replat** of a portion of Lot C, Block 232 of the Original Town of Waxahachie, to create Lots C1 & C2, Block 232 of the Original Town of Waxahachie, 2 residential lots, being 0.418 acres, located at 103 Elder Street, (Property ID 171557) – Owner: Energy Renovation Center Inc. (SUB-49-2024)
Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-49-2024, a Replat of a portion of Lot C, Block 232 of the Original Town of Waxahachie, subject to the conditions the staff report."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on April 9, 2024, the Commission voted 6-0 to recommend approval of case number SUB-49-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests to replat the subject property into two (2) residential lots.

CASE INFORMATION

Applicant:	Joseph Flournoy, Energy Renovation Center
Property Owner(s):	Joseph Flournoy, Energy Renovation Center
Site Acreage:	0.418 acres
Number of Lots:	2 lots
Number of Dwelling Units:	2 units
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:	103 Elder Street
Parcel ID Number(s):	171557
Current Zoning:	Single Family-3 (SF-3)
Existing Use:	The subject property is currently undeveloped.
Platting History:	The subject property was previously platted as a portion of Lot C, Block 232 of the Original Town of Waxahachie.

Site Aerial:

PLANNING ANALYSIS

The applicant proposes to replat the subject property from one (1) lot into two (2) lots for single family residential use. The subject property is currently comprised of a single platted lot and is located within the Infill Overlay District. As part of the review of the plat application, staff identified multiple additional technical errors that conflict with the requirements of the Waxahachie Subdivision Ordinance. These errors have been identified as conditions of approval in the staff recommendation section below.

Variance Request – Minimum Lot Size

The Infill Overlay District requires newly proposed lots to be at least 90% of the average size of existing lots within 50' of the subject property. In this case, the average lot size within 50' of the subject property is approximately 11,565 square feet. The two lots proposed with this Replat are both approximately 9,104 square feet in size. While the proposed lots do not meet the size requirement of the Infill Overlay District based on properties within 50', the lot sizes are consistent with existing properties in the area of E Marvin Avenue and Elder Street. For example, several existing lots along Elder Street and E Marvin Avenue range in size between 6,500 and 9,500 square feet. However, these lots are located between 50' and 750' away from the subject property. Due to consistency with the neighborhood as a whole, staff is supportive of the variance request for lot sizes below the typical minimum requirement of the Infill Overlay District.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 23 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

PON RESPONSES

Staff has received one (1) letter of support and one (1) letter of opposition for the proposed replat.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the replat request, subject to the conditions noted below.

Conditions:

1. Per Section 2.1.a & 7.2.h of the Waxahachie Subdivision Ordinance, Application Fees (\$520.00) and Filing Fees (\$74.00) are required to be paid with the Replat application prior to plat filing.

ATTACHED EXHIBITS

1. Public Notification Response
2. Replat

APPLICANT REQUIREMENTS

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

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:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(12+13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-49-2024

ENERGY RENOVATION CENTER INC
2016 E Randol Mill Rd Ste 409
Arlington, TX 76011-8223

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Joseph Flournoy, Energy Renovation Center, for a **Replat** of a portion of Lot C, Block 232 of the Original Town of Waxahachie, to create Lots C1 & C2, Block 232 of the Original Town of Waxahachie, 2 residential lots, being 0.418 acres, located at 103 Elder Street, (Property ID 171557) – Owner: Energy Renovation Center Inc. (SUB-49-2023)
Staff: Zack King

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: SUB-49-2024

City Reference: 171557

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on April 3, 2024 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, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Joseph Flournoy
Signature
Joseph Flournoy / owner.
Printed Name and Title

3/27/24
Date
2016 E Randol Mill Rd #409
Address
Arlington, TX 76011

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

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

(12+13)

Case Number: SUB-49-2024

City Reference: 171565

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 3, 2024* 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, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

RECEIVED ARR 0 32024

Comments:

*The houses are already close enough.
Seems like there is going to be no room for people.*

Guadalupe Mantyla
Signature

3-28-24
Date

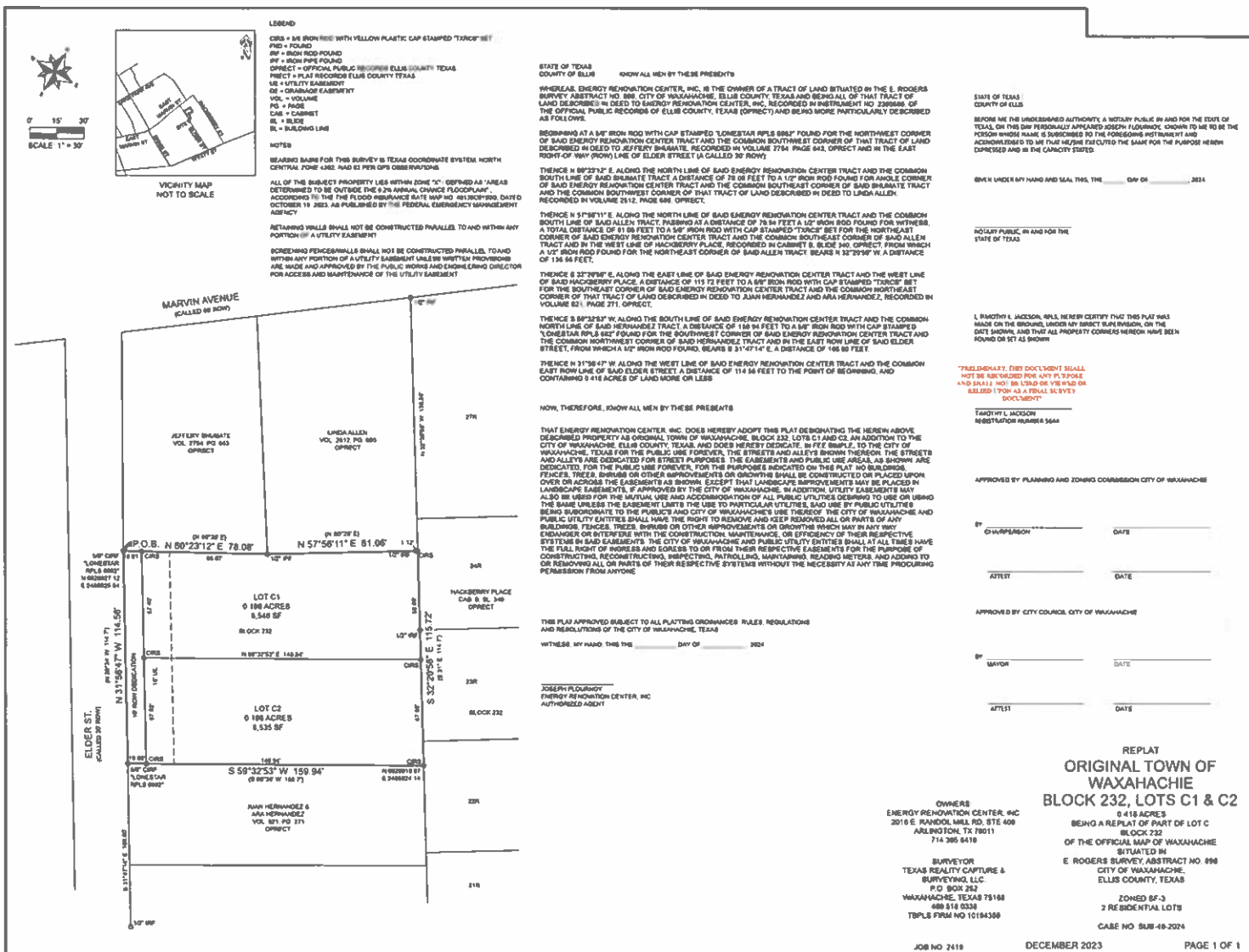
GUADALUPE MANTYLA
Printed Name and Title

Block 231
Address
NO STREET ADDRESS

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

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

(12 & 13)



(147)

Planning & Zoning Department Zoning Staff Report

Case: ZDC-21-2024



MEETING DATE(S)

Planning & Zoning Commission:

April 9, 2024

City Council:

April 15, 2024

CAPTION

Public Hearing on a request by Leslie Ford, Ofi Chito, for a **Specific Use Permit (SUP)** for a Drive Through Establishment (McDonald's) use within a Light Industrial-1 (LI-1) zoning district located adjacent to 150 W Butcher Road (Property ID 284633) - Owner: Crux Jefferson, LLC (ZDC-21-2024)

RECOMMENDED MOTION

"I move to approve ZDC-21-2024, a Specific Use Permit (SUP) for a Drive Through Establishment (McDonald's), subject to the conditions the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on April 9, 2024, the Commission voted 6-0 to recommend approval of case number ZDC-21-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit to allow for a Drive Through Establishment (McDonald's) located adjacent to 150 W Butcher Road.

CASE INFORMATION

Applicant:

Leslie Ford, Ofi Chito

Property Owner(s):

Crux Jefferson, LLC

Site Acreage:

1.353 acres

Current Zoning:

Light Industrial-1 (LI-1)

Requested Zoning:

Light Industrial-1 (LI-1) with a SUP for a Drive Through Establishment

SUBJECT PROPERTY

General Location:

Directly adjacent to 150 W Butcher Road

Parcel ID Number(s):

284633

Existing Use:

The subject property is currently undeveloped.

Development History:

A Plat (SUB-117-2023) for the subject property was approved on October 11, 2023. The plat is not yet filed.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Light Industrial-1 (LI-1)	Undeveloped
East	Light Industrial-1 (LI-1)	Undeveloped
South	Planned Development-General Retail/Multi-Family-2 (PD-GR/MF-2)	Undeveloped
West	Light Industrial-1 (LI-1)	Life School

Future Land Use Plan: Local Commercial

Comprehensive Plan: The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan: The subject property fronts onto W Butcher Road. The applicant has acquired mutual access easements through the adjacent property to the north, allowing them to make use of a future driveway connection to Highway 77. The driveway connections to Butcher Road and Highway 77 are currently under construction.

Site Image:

PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to allow for development of a McDonald's. The proposed building is 4,258 square feet in size and features a dining area with a maximum occupancy of 50 customers. The proposed structure meets all setback requirements for the site, as established by the LI-1 zoning district. The applicant has also provided sufficient parking for the site, based on the size of the proposed building. The site is accessible via W Butcher Road and is flanked by mutual access drives that will all for cross access between adjacent properties in the future. These mutual access drives will afford the site with a connection to N Highway 77 in addition to W Butcher Road.

Proposed Use

The Waxahachie Zoning Ordinance requires approval of a SUP in order to allow for the Drive-Through associated with the McDonald's restaurant. The proposed site plan features two drive-through lanes capable of stacking a total of eighteen vehicles at one time. The Waxahachie Zoning Ordinance requires a minimum of six (6) stacking spaces for the drive-through. The drive-through lanes are only accessible via private mutual access drives and are designed to wrap around the entirety of the building to ensure vehicles do not stack into the public right-of-way (ROW). The exit of the drive-through lane is situated at a 90° angle to a mutual access drive; which allows customers to properly maneuver out of the site. Both directional signage and directional striping is proposed for the drive-through.

Elevation/Façade

The applicant has provided an elevation/façade plan features a total of 81.3% masonry exterior construction material. The elevation/façade plan utilizes mix of brick, limestone, and composite siding. The renderings below can be referenced for a look at the color palette proposed for these exterior construction materials.



1
A2.0 FRONT ELEVATION - SOUTH
1/4" = 1'-0"

BR - BRICK "EBONY"

LL - LIMESTONE "LINEN"

BR - BRICK "SLATE GRAY"



CN - ALUM CANOPY WHITE
(IN - INFERNOCORE YELLOW)

AL - ALUMINUM BATTENS

AP - APOLIC METAL PANELS

Landscaping

The landscaping proposed with this SUP meets the requirements of the Waxahachie Zoning Ordinance. The applicant has incorporated three (3) Crape Myrtles into the landscape plan.

Signage

The applicant is proposing an 8', internally illuminated, monument sign. No pole sign is proposed.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 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 zero (0) letters of support and zero (0) letters of opposition for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request subject to the conditions noted below.

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development.
2. The owner shall provide a permanent irrigation system for all required landscape areas shown on the Landscape Plan and maintain the required landscaping at all times.
3. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.

ATTACHED EXHIBITS

1. Development Agreement
2. SUP Ordinance
3. Exhibit A – Location Map
4. Exhibit B – Site Plan
5. Exhibit C – Landscape Plan
6. Exhibit D – Elevation/Façade Plan
7. Exhibit E – Sign Plan

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:**

Zack King, AICP

Senior Planner

zking@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 A DRIVE-THROUGH ESTABLISHMENT (MCDONALD'S) USE WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT, LOCATED DIRECTLY EAST OF 150 W BUTCHER ROAD, BEING PROPERTY ID 284633, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK A IN THE TEDDO CROSSING PHASE ONE SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as LI-1; 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-21-2024. 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 a SUP in order to permit a Drive-Through Establishment (McDonald's) use on the following property: Lot 1, Block A of the Teddo Crossing Phase One subdivision, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Landscape Plan attached as Exhibit C, the Elevation/Façade Plan attached as Exhibit D, and the Signage Plan 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 A DRIVE-THROUGH ESTABLISHMENT MCDONALD'S) USE WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. A mutually agreed upon Development Agreement will be required for the property.
2. The development shall conform as approved by the City Council under case number ZDC-24-2024.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Site Plan, Exhibit C - Landscape Plan, Exhibit D – Elevation/Façade Plan, and Exhibit E – Signage Plan.
4. All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevation/Facade Concept Plan (Exhibit D).
5. The property owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C - Landscape Plan and maintain the required landscaping at all times.
6. 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.
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. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan, Exhibit C - Landscape Plan, Exhibit D – Elevation/Façade Plan, and Exhibit E – Signage Plan. Where regulations are not specified in Exhibits B, C, D, E, in this Zoning Ordinance or the Development Agreement, the regulations of Light Industrial-1 (LI-1) zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.
9. City Council shall have the right to review the Specific Use Permit at any point, if needed.

(15)

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 April, 2024.

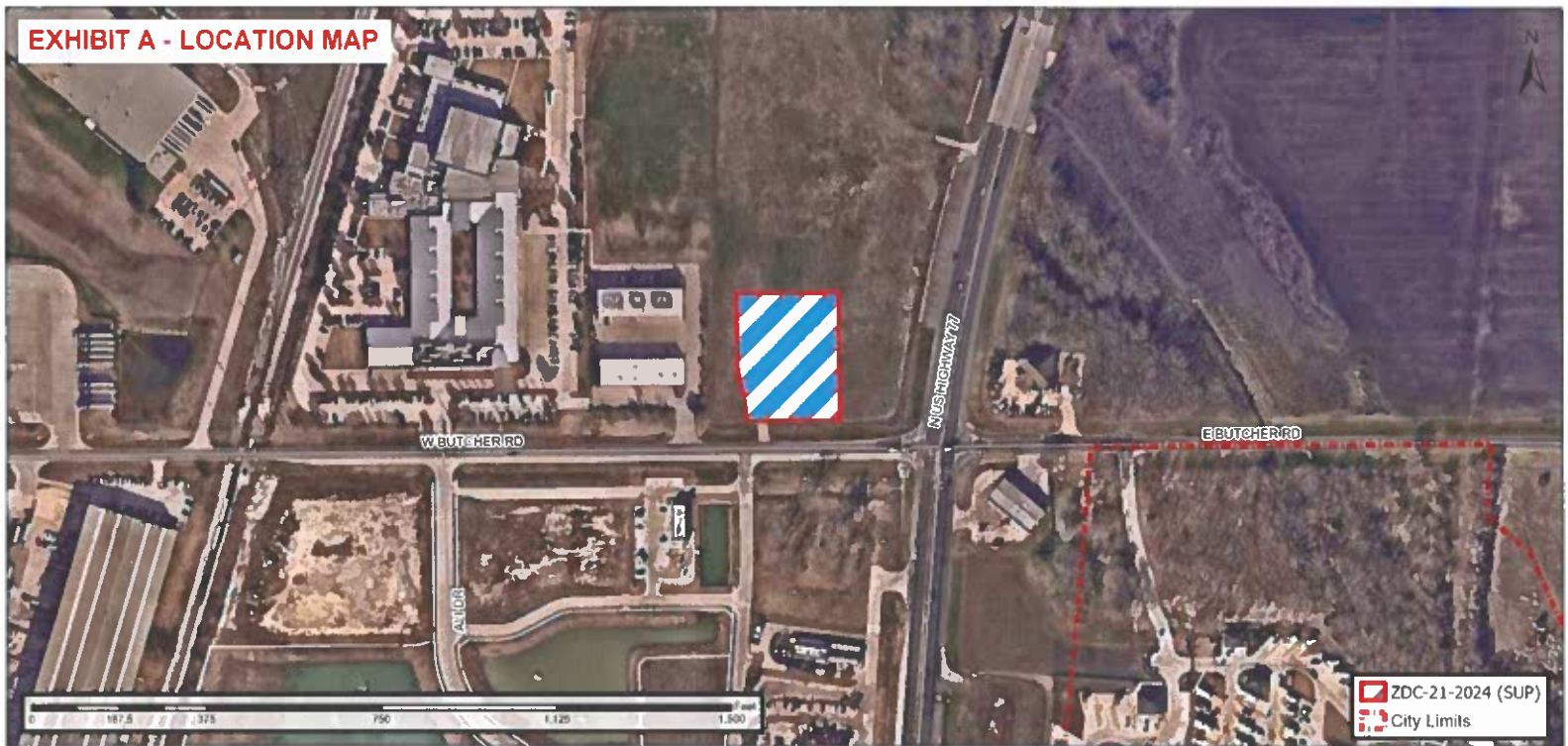
MAYOR

ATTEST:

City Secretary

(15)

EXHIBIT A - LOCATION MAP



(15)

EXHIBIT B - SITE PLAN

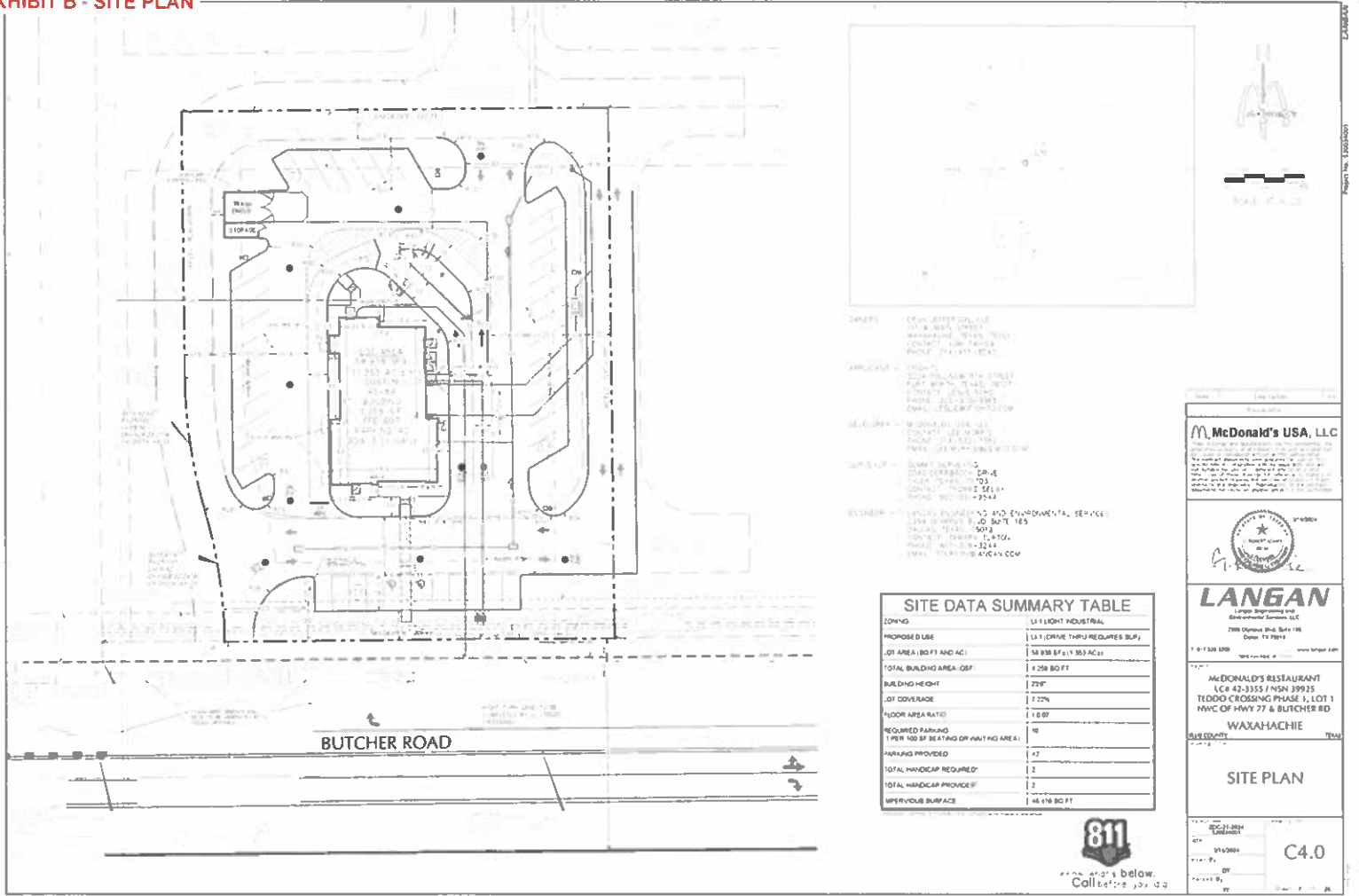


EXHIBIT D - ELEVATION/FACADE PLAN



(15)

EXHIBIT D - ELEVATION/FACADE PLAN



EXHIBIT D - ELEVATION/FACADE PLAN



1. $\lim_{x \rightarrow 0} \frac{\sin x}{x} = 1$ යනු $\lim_{x \rightarrow 0} \frac{\cos x}{1} = 1$ බව පෙන්වන්න.
 2. $f(x) = x^2$ හි $x = 2$ හි $f'(x)$ අගය සොයන්න.
 3. $\sin x$ හි $x = \frac{\pi}{2}$ හි $f''(x)$ අගය සොයන්න.
 4. $\lim_{x \rightarrow 0} \frac{e^x - 1}{x} = 1$ බව පෙන්වන්න.
 5. $\lim_{x \rightarrow 0} \frac{\ln(1+x)}{x} = 1$ බව පෙන්වන්න.
 6. $\lim_{x \rightarrow 0} \frac{1 - \cos x}{x^2} = \frac{1}{2}$ බව පෙන්වන්න.
 7. $\lim_{x \rightarrow 0} \frac{\tan x - x}{x^3} = \frac{1}{3}$ බව පෙන්වන්න.
 8. $\lim_{x \rightarrow 0} \frac{1 - \cos x}{x^2} = \frac{1}{2}$ බව පෙන්වන්න.
 9. $\lim_{x \rightarrow 0} \frac{1 - \cos x}{x^2} = \frac{1}{2}$ බව පෙන්වන්න.
 10. $\lim_{x \rightarrow 0} \frac{1 - \cos x}{x^2} = \frac{1}{2}$ බව පෙන්වන්න.

- [illegible]

16. 1970-1971, 1972-1973, 1974-1975, 1976-1977, 1978-1979, 1980-1981, 1982-1983, 1984-1985, 1986-1987, 1988-1989, 1990-1991, 1992-1993, 1994-1995, 1996-1997, 1998-1999, 2000-2001, 2002-2003, 2004-2005, 2006-2007, 2008-2009, 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018-2019, 2020-2021, 2022-2023, 2024-2025, 2026-2027, 2028-2029, 2030-2031, 2032-2033, 2034-2035, 2036-2037, 2038-2039, 2040-2041, 2042-2043, 2044-2045, 2046-2047, 2048-2049, 2050-2051, 2052-2053, 2054-2055, 2056-2057, 2058-2059, 2060-2061, 2062-2063, 2064-2065, 2066-2067, 2068-2069, 2070-2071, 2072-2073, 2074-2075, 2076-2077, 2078-2079, 2080-2081, 2082-2083, 2084-2085, 2086-2087, 2088-2089, 2090-2091, 2092-2093, 2094-2095, 2096-2097, 2098-2099, 2100-2101, 2102-2103, 2104-2105, 2106-2107, 2108-2109, 2110-2111, 2112-2113, 2114-2115, 2116-2117, 2118-2119, 2120-2121, 2122-2123, 2124-2125, 2126-2127, 2128-2129, 2130-2131, 2132-2133, 2134-2135, 2136-2137, 2138-2139, 2140-2141, 2142-2143, 2144-2145, 2146-2147, 2148-2149, 2150-2151, 2152-2153, 2154-2155, 2156-2157, 2158-2159, 2160-2161, 2162-2163, 2164-2165, 2166-2167, 2168-2169, 2170-2171, 2172-2173, 2174-2175, 2176-2177, 2178-2179, 2180-2181, 2182-2183, 2184-2185, 2186-2187, 2188-2189, 2190-2191, 2192-2193, 2194-2195, 2196-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 2232-2233, 2234-2235, 2236-2237, 2238-2239, 2240-2241, 2242-2243, 2244-2245, 2246-2247, 2248-2249, 2250-2251, 2252-2253, 2254-2255, 2256-2257, 2258-2259, 2260-2261, 2262-2263, 2264-2265, 2266-2267, 2268-2269, 2270-2271, 2272-2273, 2274-2275, 2276-2277, 2278-2279, 2280-2281, 2282-2283, 2284-2285, 2286-2287, 2288-2289, 2290-2291, 2292-2293, 2294-2295, 2296-2297, 2298-2299, 2300-2301, 2302-2303, 2304-2305, 2306-2307, 2308-2309, 2310-2311, 2312-2313, 2314-2315, 2316-2317, 2318-2319, 2320-2321, 2322-2323, 2324-2325, 2326-2327, 2328-2329, 2330-2331, 2332-2333, 2334-2335, 2336-2337, 2338-2339, 2340-2341, 2342-2343, 2344-2345, 2346-2347, 2348-2349, 2350-2351, 2352-2353, 2354-2355, 2356-2357, 2358-2359, 2360-2361, 2362-2363, 2364-2365, 2366-2367, 2368-2369, 2370-2371, 2372-2373, 2374-2375, 2376-2377, 2378-2379, 2380-2381, 2382-2383, 2384-2385, 2386-2387, 2388-2389, 2390-2391, 2392-2393, 2394-2395, 2396-2397, 2398-2399, 2400-2401, 2402-2403, 2404-2405, 2406-2407, 2408-2409, 2410-2411, 2412-2413, 2414-2415, 2416-2417, 2418-2419, 2420-2421, 2422-2423, 2424-2425, 2426-2427, 2428-2429, 2430-2431, 2432-2433, 2434-2435, 2436-2437, 2438-2439, 2440-2441, 2442-2443, 2444-2445, 2446-2447, 2448-2449, 2450-2451, 2452-2453, 2454-2455, 2456-2457, 2458-2459, 2460-2461, 2462-2463, 2464-2465, 2466-2467, 2468-2469, 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2478-2479, 2480-2481, 2482-2483, 2484-2485, 2486-2487, 2488-2489, 2490-2491, 2492-2493, 2494-2495, 2496-2497, 2498-2499, 2500-2501, 2502-2503, 2504-2505, 2506-2507, 2508-2509, 2510-2511, 2512-2513, 2514-2515, 2516-2517, 2518-2519, 2520-2521, 2522-2523, 2524-2525, 2526-2527, 2528-2529, 2530-2531, 2532-2533, 2534-2535, 2536-2537, 2538-2539, 2540-2541, 2542-2543, 2544-2545, 2546-2547, 2548-2549, 2550-2551, 2552-2553, 2554-2555, 2556-2557, 2558-2559, 2560-2561, 2562-2563, 2564-2565, 2566-2567, 2568-2569, 2570-2571, 2572-2573, 2574-2575, 2576-2577, 2578-2579, 2580-2581, 2582-2583, 2584-2585, 2586-2587, 2588-2589, 2590-2591, 2592-2593, 2594-2595, 2596-2597, 2598-2599, 2600-2601, 2602-2603, 2604-2605, 2606-2607, 2608-2609, 2610-2611, 2612-2613, 2614-2615, 2616-2617, 2618-2619, 2620-2621, 2622-2623, 2624-2625, 2626-2627, 2628-2629, 2630-2631, 2632-2633, 2634-2635, 2636-2637, 2638-2639, 2640-2641, 2642-2643, 2644-2645, 2646-2647, 2648-2649, 2650-2651, 2652-2653, 2654-2655, 2656-2657, 2658-2659, 2660-2661, 2662-2663, 2664-2665, 2666-2667, 2668-2669, 2670-2671, 2672-2673, 2674-2675, 2676-2677, 2678-2679, 2680-2681, 2682-2683, 2684-2685, 2686-2687, 2688-2689, 2690-2691, 2692-2693, 2694-2695, 2696-2697, 2698-2699, 2700-2701, 2702-2703, 2704-2705, 2706-2707, 2708-2709, 2710-2711, 2712-2713

Project

McDONALD'S RESTAURANT
LOP 42-3355 / NSN 39923
TEDDO CROSSING PHASE 1, LOT 1
CASE#:
INVC OF HWY 77 & BUTCHER RD.
WAXAHACHIE
ELLIS COUNTY TEXAS

McDonald's USA, LLC

A7

A7.0

(15)

EXHIBIT E - SIGN PLAN



McDonald's

WAXAHACHIE, TX

SIGN PROGRAM BOOK

persona
SIGNS | LIGHTING | IMAGE

Persona Signs, LLC
700 21st Street Southwest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 • www.personasigns.com

Customer
MCDONALD'S
Location
WAXAHACHIE, TX
File Name
458330 - WAXAHACHIE, TX

Project No
458330
Request No
54866
Prepared By
SC
Date
27FEB24
Revision
0

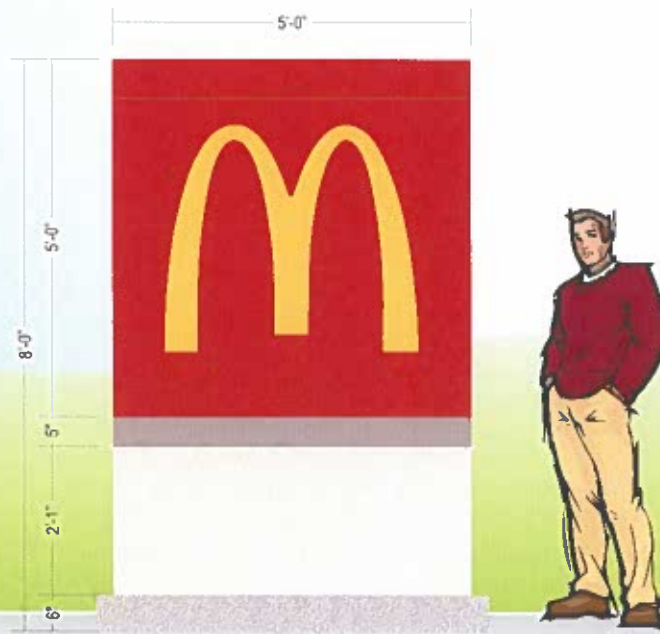
This sign is intended to be installed in accordance with the requirements of Article 108 of the National Electric Code and other applicable local codes. This includes proper grounding and bonding of the sign.

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Customer Approval (Please Initial)

Approval Date

EXHIBIT E - SIGN PLAN



persona
SIGNS | LIGHTING | IMAGE

Persona Signs, LLC
700 21st Street Southwest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 • www.personasigns.com

Customer
MCDONALD'S
Location
WAXAHACHIE, TX
File Name
458330 - WAXAHACHIE, TX

Project No. 458330	Request No. 54866
Prepared By SC	
Date 27FEB24	Revision 0

This sign is intended to be installed in accordance with the requirements of Article 806 of the National Electric Code and any other applicable local codes. This includes proper grounding and bonding of the sign.

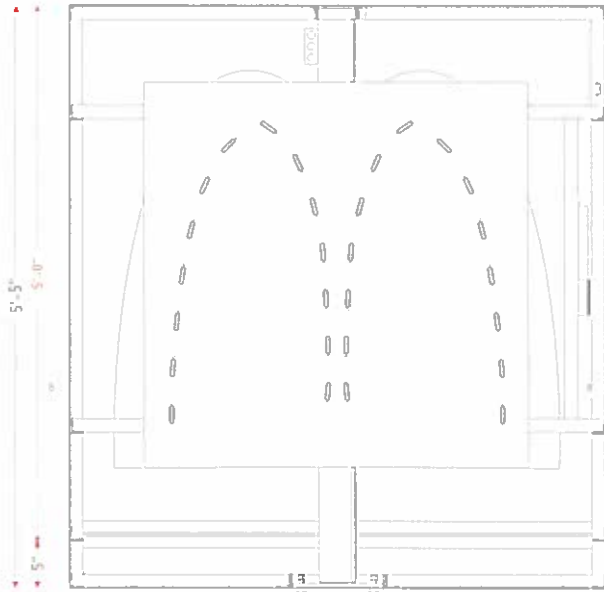
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Customer Approval (Please Initia!)

Approval Date

(15)

EXHIBIT E - SIGN PLAN



FRAME & LIGHTING DETAIL
SCALE 3/4" = 1'-0"



CROSS SECTION A-A
SCALE 3/4" = 1'-0"



PLATE DETAIL
SCALE 1 1/2" = 1'-0"



1/2" X 10" X 10" PLATES
5/8" HOLES
1/2" A325 BOLTS
PLATE WILL ACCEPT:
8" PIPE
6" TUBE

PLATE DETAIL
SCALE 3/4" = 1'-0"

SPECIFICATIONS

FRAME DETAILS

- 1 1/2" X 1 1/2" X 3/16" ALUMINUM ANGLE FRAME
- BLEED FACE
- .080" ALUMINUM SKINS
- .125" ALUMINUM SKINS (REVEAL FRONT & BACK SKINS ONLY)
- SKINS REMOVABLE FOR SERVICE
- EXTERIOR FINISH
- ARCH SECTION PAINTED NG RED
- REVEAL PANEL PAINTED NG SILVER
- INTERIOR FINISH REFLECTIVE WHITE
- DISCONNECT SWITCH IN END OF CABINET, NEAR TOP
- GE 5000K WHITE LED'S AS REQUIRED MOUNTED TO .063" ALUMINUM BAFFLE
- ELECTRICAL REQUIREMENTS: (1) 20A/120V CIRCUIT
- UL LISTED
- PLATE/MATCH PLATE INSTALLATION

ARCH FACE DETAILS:

- .125" ROUTED ALUMINUM PAINTED TO MATCH NG RED STUD MOUNTED TO FRAME
- .118" FORMED NG YELLOW POLYCARBONATE PUSH THROUGH ARCH
- SQUARE FOOTAGE 75.00 SQ FT



GRAPHIC DETAIL
SCALE 1/2" = 1'-0"

persona
SIGNS | LIGHTING | IMAGE

Persona Signs, LLC
700 21st Street Southwest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 • www.personasigns.com

Customer
MCDONALD'S
Location
WAXAHACHIE, TX
File Name
458330 - WAXAHACHIE, TX

Project No.
458330
Request No.
54866
Prepared By
SC
Date
27FEB24
Revision
0

This sign is intended to be installed in accordance with the requirements of Article 808 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding at the sign.

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Customer Approval (Please Initial)

Approval Date

(16)

STATE OF TEXAS	§	DEVELOPMENT AGREEMENT
	§	FOR MCDONALD'S
COUNTY OF ELLIS	§	

This Development Agreement for McDonald's ("Agreement") is entered into between Crux Jefferson, LLC ("CJ") and the City of Waxahachie, Texas ("City"). CJ and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

Recitals:

1. CJ is the owner of approximately 1.353 acres of real property generally located directly East of 150 W Butcher Road, Parcel Number 284633 in the City of Waxahachie, Texas (the "Property"), for which the applicant has requested a change in the Property's Light Industrial-1 (LI-1) zoning to a Light-Industrial-1 (LI-1) with Specific Use Permit ("SUP") zoning, revising specific development standards. The Property is currently zoned Light Industrial-1 (LI-1) by the City, and is anticipated to have the SUP reviewed on April 15, 2024.

2. The planned use of the Property is to create a SUP to allow for the use of Drive-Through Establishment development (McDonald's). The SUP zoning process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards, as well as providing CJ with agreed-upon and negotiated standards consistent with their business objectives.

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

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the McDonald's SUP Ordinance as contractually-binding obligations between the City of Waxahachie and CJ, and to recognize CJ's reasonable investment-backed expectations in the McDonald's SUP Ordinance and the planned development of McDonald's.

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

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

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

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the McDonald's SUP Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the Developer.

The Developer agrees to:

- (A) A mutually agreed upon Development Agreement will be required for the property.
- (B) The development shall conform as approved by the City Council under case number ZDC-21-2024.
- (C) The development shall adhere to the City Council approved in Exhibit A - Location Map, Exhibit B - Site Plan, Exhibit C - Landscape Plan, Exhibit D - Elevation/Façade Plan, and Exhibit E - Signage Plan.
- (D) All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevation/Facade Concept Plan (Exhibit D).
- (E) The property owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C - Landscape Plan and maintain the required landscaping at all times.
- (F) 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.
- (G) 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.
- (H) Any zoning, land use requirement, or restriction not contained within this Development Agreement or Zoning Ordinance (Ordinance No. TBD), shall conform to those requirements and/or standards prescribed in Exhibit B - Site Plan, Exhibit C - Landscape Plan, Exhibit D - Elevation/Façade Plan, and Exhibit E - Signage Plan. Where regulations are not specified in Exhibits B, C, D, E, in this Development Agreement or Zoning Ordinance (Ordinance No. TBD), the

(16)

regulations of the regulations of the Light Industrial-1 (LI-1) zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.

- (I) A physical copy of the Development Agreement with a notarized wet signature by the Developer shall be delivered by the Developer to the Planning Department within thirty (30) days following approval of the agreement.

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

Section 4. Miscellaneous

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

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

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

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

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

(16)

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

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

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

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

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

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

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

M. **Form 1295 Certificate.** The Developer agrees to comply with Texas Government Code, Section 2252.908 and in connection therewith, the Developer agrees to go online with the Texas Ethics Commission to complete a Form 1295 Certificate and further agrees to print the completed certificate and execute the completed certificate in such form as is required by Texas Government Code, Section 2252.908 and the rules of the Texas Ethics Commission and provide to the Town, at the time of delivery of an executed counterpart of this Agreement, a duly executed completed Form 1295 Certificate.

N. **Undocumented Workers Provision.** The Developer certifies that Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of any public subsidy provided under this Agreement to Developer plus six percent (6.0%), not later than the 120th day after the date the Town notifies Developer of the violation.

(16)

O. **Non-Boycott of Israel Provision.** In accordance with Chapter 2271 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a business entity for the provision of goods or services unless the agreement contains a written verification from the business entity that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. Chapter 2271 of the Texas Government Code does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) the contract has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless Developer is not subject to Chapter 2271 of the Texas Government Code for the reasons stated herein, the signatory executing this Agreement on behalf of Developer verifies that Developer does not boycott Israel and will not boycott Israel during the Term of this Agreement.

P. **Prohibition on Contracts with Certain Companies Provision.** In accordance with Section 2252.152 of the Texas Government Code, the Parties covenant and agree that Developer is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

Q. **Verification Against Discrimination of Firearm or Ammunition Industries.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 19, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the Developer will not discriminate during the Term of the Agreement against a firearm entity or firearm trade association.

R. **Verification Against Discrimination Developer Does Not Boycott Energy Companies.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 13, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not boycott energy companies; and (2) the Developer will not boycott energy companies during the Term of this Agreement.

(16)

{Signature Pages Follow}

(16)

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

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

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

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(16)

: CRUX JEFFERSON, LLC (Owner)

By: _____

Date: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

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

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____



Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, Executive Director of Public Works & Utilities

Thru: Michael Scott, City Manager

Date: April 15, 2024

Re: Consider a Construction Contract for the Emergency Construction of Water Main Casing and Water Main on FM664 Project

Motion: "I move to approve the award of a construction contract for the Emergency Construction of Water Main Casing and Water Main on FM664 Project to Circle H Contractors L.P. in the amount of \$797,537, with an additional construction contingency in the amount of \$40,463 and authorize the City Manager to execute all necessary documents."

Item Description: Consider the award of a construction contract for the Emergency Construction of Water Main Casing and Water Main on FM664 Project. This project has been classified as an emergency infrastructure construction due to circumstances out of the city's control and the need to proceed ahead of our intended schedule.

Item Summary:

The City of Waxahachie and Sardis Lone Elm Water Supply Corp (Sardis) have a joint easement along FM 664. This joint easement is a part of the water main associated with the TxDOT FM 664 road widening project. Some property owners were only willing to sell a 10-foot wide easement due to proximity of their houses and businesses to the easement. Within this 10-foot easement, the City plans to install a 24-inch water line within a steel casing pipe and Sardis will install a 12-inch water line (a portion in steel casing pipe). The constructability of the City's

and Sardis' water lines in a limited easement requires that both water lines to be installed at the same time. Sardis has moved forward with awarding their 12-inch water line contract to Circle H Contractors L.P. (Circle H). And as such, constructing the City's water line at a later time will not be feasible. Attempting to construct this line later will have a high risk of damaging the Sardis water line. Once installed however, the steel casing pipe will protect the city's water line from damage when Sardis maintains their line in the future and will allow the City to replace their water line without disturbing the Sardis water line, or disturbing the existing houses and businesses.

(17)

The City received a quote for Circle H to install 750-feet of steel casing pipe and 875-feet of 24-inch water line within this shared easement. The overall FM 664 24-inch water line project has approximately 7,000 feet of 24-inch water line and this contract will construct approximately 12.5% of the overall project. The quote unit prices are within the engineer's opinion of cost, have similar unit prices as the Lofland/Marshall 24-inch Water Line project, and is within the project budget. City staff is also working with TxDOT for reimbursement of a portion of the 24-inch water line, since TxDOT took over our existing easement and is requiring us to relocate our existing 12-inch water line as part of their roadway widening project.

Fiscal Impact: The overall construction budget for the FM 664 24-inch Water Line project is \$5,400,000 and was funded from the existing 2023 Water Bond Sale. The construction contract with Circle H is \$797,537, and City staff requests an additional \$40,463 in contingency for a total of \$838,000. The FM 664 24-inch Water Line project will have a remaining budget of \$4,562,000.