

**NOTICE OF CITY COUNCIL BRIEFING SESSION
MAY 7, 2018
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:30 P.M.**

Agenda

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

1. Call to Order
2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting
3. Adjourn

This meeting location is wheelchair-accessible. Parking for mobility impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4005 or (TDD) 1-800-RELAY TX

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers on ***Monday, May 7, 2018 at 7:00 p.m.***

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

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Texas Pledge of Allegiance *Honor the Texas Flag;
I pledge allegiance to thee;
Texas, one state under God, one and indivisible*
5. ***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 551.071, Texas Government Code.
6. ***Consent Agenda***

All matters listed under Item 6, 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 regular City Council meeting of April 16, 2018
- b. Minutes of the City Council Briefing Session of April 16, 2018
- c. Minutes of the regular Planning and Zoning Commission meeting of April 24, 2018
- d. Minutes of the Planning and Zoning Commission Briefing Session of April 24, 2018
- e. Minutes of the Park Board meeting of May 3, 2018
- f. Minutes of the Mid-Way Airport Board meeting of April 12, 2018
- g. Request by David Hargrove, Legacy Grove Development, LLC, for a **Final Plat** of Garden Valley Farms, Phase 2, for 78 lots, being 24.018 acres out of J.B. and Ann Adams Survey, Abstract 5 (Property ID 179060) – Owner: LEGACY GROVE DEVELOPMENT LLC (FP-18-0028)

- h. Resolution authorizing the reimbursement of the Water and Wastewater Funds' Working Capital from the proceeds of future debt for a new field office building for the Utilities Department
 - i. Consider budget amendment for technology improvements in conference room
 - j. Approve application for Salvation Army Boys and Girls Club of Ellis County 5k race
 - k. Approve amended application for Waxahachie Draft Beer & Music Festival
 - l. Approve application for seasonal vendors permit at Lake Waxahachie
7. ***Introduce*** Honorary Councilmember
 8. ***Present*** Proclamation proclaiming May 7, 2018 as Major Derwin J. Moody day in Waxahachie
 9. ***Present*** Proclamation proclaiming May 2018 as Preservation Month
 10. ***Present*** National Main Street Accreditation
 11. ***Present*** Council with Texas Travel Industry Association Best of Texas Award – “Best City” during the 2017 Texas Study Tour
 12. ***Recognition*** of National Tourism Week – May 6 – 12, 2018
 13. ***Public Hearing*** on a request by David Hargrove, Legacy Grove Development, LLC, for an Amendment to Ordinance No. 2137 for the Garden Valley Planned Development District to increase Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0011)
 14. ***Consider*** proposed Ordinance approving Zoning Change No. PD-18-0011
 15. ***Public Hearing*** on a request by Kenny Garcia, Elevation Solar LLC, for a Specific Use Permit (SUP) to allow a Rooftop solar panel system use within a Single Family-1 (SF1) zoning district, located at 2204 Howard Road, being 272 S M DURRETT 2.677 ACRES (Property ID 181954) - Owner: SKINNER GERALD D REVOCABLE LIVING TRUST (SU-18-0033)
 16. ***Consider*** proposed Ordinance approving Zoning Change No. SU-18-0033
 17. ***Public Hearing*** on a request by Justin Hargrove for a Specific Use Permit (SUP) to allow a Dance hall, tavern, or night club use within a Central Area (CA) zoning district, located at 208 W Franklin, being LOT 9B BLK 8 O T WAXAHACHIE .06 AC (Property ID 170463) - Owner: SOUTHFORK CAPITAL LLC (SU-18-0029)
 18. ***Consider*** proposed Ordinance approving Zoning Change No. SU-18-0029
 19. ***Public Hearing*** on a request by Charles Browning, Waddle Holdings, for a Zoning Change from a Light Industrial-2 (LI2) zoning district to Central Area (CA), located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (ZC-18-0031)
 20. ***Consider*** proposed Ordinance approving Zoning Change No. ZC-18-0031

21. **Public Hearing** on a request by Charles Browning, Waddle Holdings, for a Specific Use Permit (SUP) to allow a Bail bond agency use within a Central Area (CA) zoning district, located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (SU-18-0032)
22. **Consider** proposed Ordinance approving Zoning Change No. SU-18-0032
23. **Consider** request by Brandon O'Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171)
24. **Consider** award of bid to Envirodyne Systems, Inc. for the replacement of clarifier number two mechanism at the Howard Road Water Treatment Plant
25. **Consider** proposed Resolution authorizing the reimbursement of the Water Fund's Working Capital from the proceeds of future debt for replacement of clarifier number two at the Howard Road Water Treatment Plant
26. Comments by Mayor, City Council, City Attorney and City Manager
27. Adjourn

The City Council reserves the right to go into Executive Session on any posted item. This meeting location is wheelchair-accessible. Parking for mobility impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4005 or (TDD) 1-800-RELAY TX

City Council
April 16, 2018

(12a)

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, April 16, 2018 at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor
Mark Singleton, Mayor Pro Tem
Chuck Beatty, Councilmember
David Hill, Councilmember
Mary Lou Shipley, Councilmember

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

1. Call to Order

Mayor Kevin Strength called the meeting to order.

2. Invocation

3. Pledge of Allegiance

4. Texas Pledge of Allegiance

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

5. Public Comments

Ms. Amy Hedtke, 106 Vanderbilt Lane, Waxahachie, noted early voting starts on Monday and encouraged all to vote down the WISD bond. She stated citizens need tax relief and the school district needs to act in the best interest of the citizens.

Ms. Melissa Olson, 202 Stampede Street, Waxahachie, thanked the Council for denying the Oncor request to change rates noting their requests are unreasonable and the residents of Waxahachie do not need to feel the unnecessary financial burden that Oncor proposes to be placed on them. Ms. Olson reported the Texas Municipal League (TML) says the vast majority of cases the city officials choose to seek voter input through a bond election. They go on to say the law also gives cities and counties the flexibility to issue debt through Certificate of Obligation on a shorter timeline. This enables them to take advantage of a favorable interest rate or opportunity to acquire a property, to make necessary emergency repairs of a disaster, or address a critical public need without having to wait for the next uniform election date on the calendar. Ms. Olson stated it has been overused and why the city has a high debt. She stated many people have just received their tax appraisals and the city has a direct impact on the citizens. She asked Council not be influenced by their personal business dealings and abstain from voting on issues they may have a financial interest in or have business partners with. Ms. Olson stated that is not what is best for Waxahachie noting people should always come before profit.

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6. Consent Agenda

- a. Minutes of the City Council meeting of April 2, 2018
- b. Minutes of the City Council Briefing Session of April 2, 2018
- c. Minutes of the Joint Work Session of City Council and WISD Board of Trustees meeting of March 29, 2018
- d. Minutes of the Waxahachie Community Development Corporation meeting of April 10, 2018
- e. Minutes of the Firemen's Relief and Retirement Fund meeting of April 9, 2018
- f. Minutes of the Heritage Preservation Commission meeting of March 8, 2018
- g. Monthly Violation Activity Statistics Report for March 2018
- h. Monthly Fire and EMS Report for March 2018
- i. Monthly Crime Report for March 2018
- j. Approve Application for Community Outreach event to be held May 5, 2018

Action:

Councilmember Chuck Beatty moved to approve items a. through j. on the Consent Agenda. Councilmember Mary Lou Shipley seconded, All Ayes.

7. Introduce Honorary Councilmember

Councilmember Chuck Beatty introduced Mr. Raymond Kennedy as the Honorary Councilmember for the month of April 2018 and presented him with a Certificate of Appreciation for his participation in the Honorary Councilmember program.

8. Present Proclamation proclaiming April as "Alcohol Awareness Month"

Mayor Strength read a Proclamation proclaiming April as "Alcohol Awareness Month" and presented it to Ms. Shari Phillips, IMPACT Communities/DFC Program Manager. Ms. Phillips reported the Texas Department of State Health Services recently awarded the City of Waxahachie with the designation of Honorable Mention for the city's efforts to improve the health of the community.

9. Consider proposed Ordinance adding Panhandling to Chapter 21, Offenses and Miscellaneous Provisions of the Waxahachie City Code

Police Chief Wade Goolsby stated over the past year the Police Department has had an increase in complaints and issues related to panhandling. He presented Ordinance 3011 noting it restricts hours, locations, and the methods used to panhandle. Chief Goolsby stated the Ordinance is not intended to prevent people from asking for help, it is merely to provide some regulations to control aggressive panhandling or scams that take advantage of people's good will.

ORDINANCE NO. 3011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADDING ARTICLE XIV, "PANHANDLING," TO CHAPTER 21, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE WAXAHACHIE CITY CODE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE;

(66)

PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Action:

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 3011. Councilmember Mary Lou Shipley seconded, All Ayes.

10. Consider proposed Ordinance re-establishing classified positions under Civil Service

Chief Goolsby reported the Waxahachie School District Board recently met and authorized the addition of one more police office to the School Resource Officer (SRO) program. He explained this allows the Police Department to fill that position. Chief Goolsby stated the terms are the same between the School District and City noting the District pays during the school year and City pays during the summer months.

ORDINANCE NO. 3012

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ESTABLISHING AND RE-ESTABLISHING CLASSIFIED POSITIONS UNDER CIVIL SERVICE IN THE FIRE AND POLICE DEPARTMENTS, REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE

Action:

Councilmember David Hill moved to approve Ordinance No. 3012. Mayor Pro Tem Mark Singleton seconded, All Ayes.

11. Consider proposed Resolution denying Oncor Electric's application to change rates

Mr. Doug Barnes, Director of Economic Development, presented Resolution No. 1239 denying a rate increase proposed by Oncor. He stated the rates will be negotiated to lower the rates to make it applicable for a rate case presentation.

RESOLUTION NO. 1239

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

(66)

Action:

Mayor Pro Tem Mark Singleton moved to approve Resolution No. 1239 as presented. Councilmember David Hill seconded, All Ayes.

- 12. Consider authorizing a contract with Brown and Gay Engineers, Inc. for utility locates and engineering design services for water and sewer utility relocations associated with the TxDOT Viaduct Project along Highway 77 and Monroe Street.**

Mr. Tommy Ludwig, Executive Director of Development Services, reported the Professional Agreement with Brown and Gay Engineers, Inc. allows us to move forward with the engineering design for utility relocations proposed by the viaduct realignment. He stated staff anticipates the contract will be engineered by April 2019.

Mayor Kevin Strength stated the city is working with property owners that are being relocated.

Action:

Councilmember Mary Lou Shipley moved to authorize a contract with Brown and Gay Engineers, Inc. for utility locates and engineering design services for water and sewer utility relocations associated with the TxDOT Viaduct Project along Highway 77 and Monroe Street. Councilmember David Hill seconded, All Ayes.

- 13. Consider proposed Resolution authorizing the reimbursement of the operating fund from proceeds of future debt for utility locates and engineering design services for water and sewer utility relocations associated with the TxDOT Viaduct Project along Highway 77 and Monroe Street**

Mr. Ludwig presented Resolution No. 1240 noting it is a companion to Item 12. He noted it will reimburse expenditures with future debt.

RESOLUTION NO. 1240

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING UTILITY LOCATES AND ENGINEERING DESIGN SERVICES FOR WATER AND SEWER UTILITY RELOCATIONS ASSOCIATED WITH THE TXDOT VIADUCT PROJECT ALONG HIGHWAY 77 AND MONROE STREET

Action:

Mayor Pro Tem Mark Singleton moved to approve Resolution No. 1240. Councilmember Chuck Beatty seconded, All Ayes.

- 14. Consider authorizing the award of a bid to Circle H Contractors associated with water system improvements for the Katy Lake on the Green Subdivision**

Mr. Ludwig reported Circle H Contractors had the lowest bid in the amount of \$398,372.80. He stated it also provides better connectivity through the 791 Service Area and facilitating future development west of Interstate IH35E. Completion date is September 2018.

(6a)

Mayor Pro Tem Mark Singleton stated this will correct issues and open up development opportunities improving the entire area.

Action:

Mayor Pro Tem Mark Singleton moved to award a bid to Circle H Contractors associated with water system improvements for the Katy Lake on the Green Subdivision in the amount of \$398,372.80. Councilmember Mary Lou Shipley seconded, All Ayes.

- 15. Consider proposed Resolution authorizing the reimbursement of Working Capital from proceeds of future debt for water system improvement for the Katy Lake on the Green Subdivision**

Mr. Ludwig presented Resolution No. 1241 noting it is a companion to Item 14. He noted it will reimburse expenditures with future debt.

RESOLUTION NO. 1241

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING WATER SYSTEM IMPROVEMENTS FOR THE KATY LAKE ON THE GREEN SUBDIVISION

Action:

Councilmember Chuck Beatty moved to approve Resolution No. 1241. Councilmember Mary Lou Shipley seconded, All Ayes.

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

City Manager Michael Scott announced the dedication to the new Waxahachie High School is Saturday, April 28, 2018. He stated IH35 is getting very close to seeing paving and painting on the overpasses noting the color schemes are off of FM 1446. Mr. Scott announced that Ms. Yasmin Barnes submitted her resignation.

Mayor Pro Tem Mark Singleton referenced the IH35 project noting it was worked on in 2000 and thought it would go in 2005 and here we are and finally again, an estimate of how long it takes to become fruition. He commended city staff on how well things are going noting the staff is doing extremely well and we all look better because of it.

Councilmember David Hill thanked Honorary Councilmember Raymond Kennedy for his participation in the Honorary Councilmember program.

Ms. Amy Borders, Director of Communications and Marketing, announced the Council meeting is being live streamed on the city's iTunes channel and it will also be on the new website when it goes live. She stated this weekend is the 5th Annual Crossroads of Texas Film Festival. She stated more music was added and the events will be held at the Chautauqua Auditorium. Ms. Borders stated there are also ladies camping in the park.

(ek)

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April 16, 2018
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17. Adjourn

There being no further business, the meeting adjourned at 7:41 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

City Council
April 16, 2018

(16b)

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, April 16, 2018 at 6:30 p.m.

Council Members Present: Kevin Strength, Mayor
Mark Singleton, Mayor Pro Tem
Chuck Beatty, Councilmember
David Hill, Councilmember
Mary Lou Shipley, Councilmember

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

1. Call to Order

Mayor Kevin Strength called the meeting to order.

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

City Manager Michael Scott reviewed a proposed Ordinance adding Panhandling to Chapter 21, Offenses and Miscellaneous Provisions of the Waxahachie City Code. He referenced the Police Chief's memo noting it is not intended to prevent people from asking for help, it provides regulations to control aggressive panhandling behavior and scams that take advantage of people's good will. He stated there has been an increase in complaints and the Ordinance will regulate the concerns.

Mr. Scott reviewed an Ordinance re-establishing classified positions under Civil Service. He stated it relates to adding an additional School Resource Officer (SRO). Mr. Scott stated this is very similar with other agreements of this nature between WISD and the Police Department. The proposed Ordinance adds one (1) Police Officer to the Police Department allocated positions. He stated the position has been approved by the Civil Service Commission.

Mr. Doug Barnes, Director of Economic Development, reviewed a Resolution denying Oncor Electric's application to change rates. He reported Oncor Electric filed an application for approval to increase distribution revenues of \$19,002,177. He stated it allows Lloyd Gosselink Attorneys to intervene on behalf of the cities and try to get this request lowered or make sure it is applicable for rate case presentation. Mr. Barnes stated the request to City Council will be to approve the Resolution denying Oncor's proposed rate increase.

Mayor Pro Tem Mark Singleton asked for a comparison of what utilities requested; the final results; and the rate of return on equity. Staff stated they will compile the information for him.

Mr. Tommy Ludwig, Executive Director of Development Services, reviewed a contract with Brown and Gay Engineers, Inc. for utility location and engineering design services associated with the TxDOT Viaduct Project along Highway 77 and Monroe Street. He stated it will go before Council for consideration in an amount not to exceed \$409,400. In addition to

(6b)

engineering design services, the contract will identify the location of the impacted utilities and determine whether the City or TxDOT is responsible for the cost of relocation. Once responsibilities for relocation cost have been established, TxDOT will enter into a reimbursement agreement with the City for engineering and construction related expenses.

Mr. Ludwig reported staff is seeking Council's authorization of award of a bid to Circle H Contractors associated with water system improvements for the Katy Lake on the Green Subdivision. He stated the contract will allow for the infrastructure to provide for better connectivity for improved water pressure.

Mr. Ludwig stated there are companion Resolutions for each of the above projects noting they each authorize reimbursement to the Utilities Department operating fund from future bond sales.

3. Adjourn

There being no further business, the meeting adjourned at 6:59 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, April 24, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Bonney Ramsey
Erik Barnard
David Hudgins

Members Absent: Betty Square Coleman
Jim Phillips

Others Present: Shon Brooks, Director of Planning
Kelly Dent, Planner
Tommy Ludwig, Executive Director of Development Services
Lori Cartwright, City Secretary
David Hill, Council Representative

1. **Call to Order**
2. **Invocation**

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of March 27, 2018
- b. Minutes of the Planning & Zoning Commission Briefing of March 27, 2018
- c. Minutes of the Planning & Zoning Commission Joint Work Session of March 26, 2018
- d. Request by David Hargrove, Legacy Grove Development, LLC, for a **Final Plat** of Garden Valley Farms, Phase 2, for 78 lots, being 24.018 acres out of J.B. and Ann Adams Survey, Abstract 5 (Property ID 179060) – Owner: LEGACY GROVE DEVELOPMENT LLC (FP-18-0028)

Action:

Mrs. Bonney Ramsey moved to approve item a. through d. on the Consent Agenda. Mr. Erik Barnard seconded, All Ayes.

4. **Public Hearing on a request by David Hargrove, Legacy Grove Development, LLC, for an Amendment to Ordinance No. 2137 for the Garden Valley Planned Development District to increase Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0011)**

Chairman Keeler opened the Public Hearing.

Ms. Kelly Dent, Planner, reported the applicant seeks to allow for larger maximum lot coverage in the Garden Valley Meadows, Garden Valley Farms Phase 1 and Garden Valley Farms Phase 2

(6c)

subdivisions. The maximum lot coverage will increase from 35% to 50%. Staff recommended approval as presented.

There being no others to speak for or against PD-18-0011, Chairman Keeler closed the Public Hearing.

5. Consider recommendation of Zoning Change No. PD-18-0011

Action:

Vice Chairman Melissa Ballard moved to approve a request by David Hargrove, Legacy Grove Development, LLC, for an Amendment to Ordinance No. 2137 for the Garden Valley Planned Development District to increase Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures (PD-18-0011) as presented. Mr. David Hudgins seconded, All Ayes.

6. Public Hearing on a request by Kenny Garcia, Elevation Solar LLC, for a Specific Use Permit (SUP) to allow a Rooftop solar panel system use within a Single Family-1 (SF1) zoning district, located at 2204 Howard Road, being 272 S M DURRETT 2.677 ACRES (Property ID 181954) - Owner: SKINNER GERALD D REVOCABLE LIVING TRUST (SU-18-0033)

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant seeks to install solar panels noting the panels are permitted with a Specific Use Permit. She stated the property is surrounded by industrial and commercial zoning. Ms. Dent stated the applicant will need to demonstrate that the panels do not face onto Howard Road by showing the roof line and before the building permit is issued, the land will need to be platted. Staff recommended approval per staff comments.

Mr. Gerald Skinner, applicant, 2204 Howard Road, Waxahachie, stated the roof is basically flat and the panels will be on the back of the house and won't be seen from the road.

There being no others to speak for or against SU-18-0033, Chairman Keeler closed the Public Hearing.

7. Consider recommendation of Zoning Change No. SU-18-0033

Action:

Mrs. Bonney Ramsey moved to approve a request by Kenny Garcia, Elevation Solar LLC, for a Specific Use Permit (SUP) to allow a Rooftop solar panel system use within a Single Family-1 (SF1) zoning district, located at 2204 Howard Road, being 272 S M DURRETT 2.677 ACRES (Property ID 181954) - Owner: SKINNER GERALD D REVOCABLE LIVING TRUST (SU-18-0033) per staff comments. Mr. David Hudgins seconded, All Ayes.

8. Public Hearing on a request by Justin Hargrove for a Specific Use Permit (SUP) to allow a Dance hall, tavern, or night club use within a Central Area (CA) zoning

(6c)

district, located at 208 W Franklin, being LOT 9B BLK 8 O T WAXAHACHIE .06 AC (Property ID 170463) - Owner: SOUTHFORK CAPITAL LLC (SU-18-0029)

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant seeks to open what the City defines as a tavern and receipts will show that over forty-nine (49%) percent of the gross revenue is derived from alcohol sales. She explained this requires the applicant to obtain a Specific Use Permit. The site is located in the City's Central Area, where the City recognizes the need to attract more businesses that increase foot-traffic, especially after hours. She reported twenty-two (22) notices were mailed to property owners within 200 feet of the request. The City received two (2) verbal oppositions and one written opposition.

Mr. Justin Hargrove, applicant, 75 North Waco Street, Hillsboro, Texas, stated it will be more of a bar atmosphere for beer noting the bar will provide sixty (60) types of draft beer. He explained the purpose of the SUP is to meet the TABC requirements of beer sales and food sales noting he foresees the beer sales to be over the 49%. Mr. Hargrove stated he plans to be open Monday through Thursday 11:00 a.m. to 10:00 p.m. and Friday and Saturday from 11:00 a.m. to midnight.

Mr. Chris Acker, 5100 Honeysuckle Road, Midlothian, stated he approached Mr. Hargrove six months ago in Hillsboro at his draft beer business and encouraged Mr. Hargrove to come to Waxahachie and open a location selling the same type of draft beer. He stated they went before the Waxahachie Historic Preservation and was approved. Mr. Acker stated he and his client have put in a lot of effort to get the application approved and asked the Commission for 100% support on this request.

There being no others to speak for or against SU-18-0029, Chairman Keeler closed the Public Hearing.

9. Consider recommendation of Zoning Change No. SU-18-0029

Action:

Vice Chairman Melissa Ballard moved to approve a request by Justin Hargrove for a Specific Use Permit (SUP) to allow a Dance hall, tavern, or night club use within a Central Area (CA) zoning district, located at 208 W Franklin, being LOT 9B BLK 8 O T WAXAHACHIE .06 AC (Property ID 170463) - Owner: SOUTHFORK CAPITAL LLC (SU-18-0029), subject to the Specific Use Permit following the applicant, the business name (dba), and address. Mrs. Bonney Ramsey seconded. The vote was as follows:

Ayes: Rick Keeler
Melissa Ballard
Bonney Ramsey
Erik Barnard

Noes: David Hudgins

(6c)

The motion carried.

10. **Public Hearing on a request by Charles Browning, Waddle Holdings, for a Zoning Change from a Light Industrial-2 (LI2) zoning district to Central Area (CA), located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (ZC-18-0031)**

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant request the zoning to permit a Bail Bonds Agency. Staff recommended approval as presented.

There being no others to speak for or against ZC-18-0031, Chairman Keeler closed the Public Hearing.

11. **Consider recommendation of Zoning Change No. ZC-18-0031**

Action:

Mrs. Bonney Ramsey moved to approve a request by Charles Browning, Waddle Holdings, for a Zoning Change from a Light Industrial-2 (LI2) zoning district to Central Area (CA), located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (ZC-18-0031) as presented. Vice Chairman Melissa Ballard seconded, All Ayes.

12. **Public Hearing on a request by Charles Browning, Waddle Holdings, for a Specific Use Permit (SUP) to allow a Bail bond agency use within a Central Area (CA) zoning district, located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (SU-18-0032)**

Chairman Keeler opened the Public Hearing.

Ms. Dent reported SU-18-0032 is a companion case to ZC-18-0031. She noted the property consists of three suites, each with internal separation. Staff recommended approval as presented.

Mr. Steven Bell, Attorney for applicant, 12655 N. Central Express Way, Dallas, requested approval noting the location is more appropriate and consistent with what is in the neighborhood. He reported the Bail Bond Board approved the applicant's license in November 2017.

There being no others to speak for or against SU-18-0032, Chairman Keeler closed the Public Hearing.

13. **Consider recommendation of Zoning Change No. SU-18-0032**

Action:

Mr. David Hudgins moved to approve a request by Charles Browning, Waddle Holdings, for a Specific Use Permit (SUP) to allow a Bail bond agency use within a Central Area (CA) zoning

(26)

district, located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (SU-18-0032) as presented. Mr. Erik Barnard seconded, All Ayes.

14. Public Comments

None

15. Adjourn

There being no further business, the meeting adjourned at 7:28 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, April 24, 2018 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Bonney Ramsey
Erik Barnard
David Hudgins

Members Absent: Betty Square Coleman
Jim Phillips

Others Present: Shon Brooks, Director of Planning
Kelly Dent, Planner
Tommy Ludwig, Executive Director of Development Services
Lori Cartwright, City Secretary
David Hill, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Mr. Shon Brooks, Director of Planning, announced the Commission and City Council has a joint workshop at 5:30 p.m. on April 30, 2018 to review the Zoning Ordinance. He reviewed Consent Agenda item number 3d noting there are no issues with the Final Plat. Mr. Brooks referenced item 4 on the agenda noting the applicant seeks to allow for larger maximum lot coverage noting staff has no issues with the request. He reported item 6 is a request for solar panels and stated the house can't be seen from the road and the panels will be on the back of the house.

Mr. Brooks reviewed item 8 being a request for a Specific Use Permit (SUP) to allow a tavern within the Central Area zoning district. He explained the SUP is needed for receipts that show over forty-nine (49%) percent of the gross revenue derived from alcohol sales. Mr. Brooks stated staff received one written opposition and two (2) verbal oppositions. The concern pertained to trash and once something like this is approved, where will it stop. He stated there is no dance floor and explained the purpose is a craft beer pub.

{Melissa Ballard arrived at 6:38 p.m.}

Mr. David Hudgins expressed concern allowing a tavern in the downtown area. Discussion was held and the Commission deliberated approving with stipulations.

Mr. Brooks reviewed items 10 and 11 noting they are companions with same applicant. Item 10 is a zoning request to change from Light Industrial-2 to Central Area. Item 11 is a request to change the zoning to allow a Bail Bond Agency.

Planning and Zoning Commission
April 24, 2018
Page 2

(led)

3. Adjourn

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

Respectfully submitted,

Lori Cartwright
City Secretary

A regular meeting of the City of Waxahachie Park Board was held on Thursday, May 3, 2018 at 3:00 p.m. in the Parks & Recreation Building, 401 South Elm, Waxahachie, Texas.

Members Present: Chad Hicks, Chairman
Ginger Cole, Vice Chairman
Coy B. Sevier
William Major
Betsy Engelbrechtsen

Member Absent: Byron Gibson

Others Present: John Smith, Director of Parks and Recreation
Chris Seale, Horticulturist
Albert Lawrence, Assistant City Manager
Amber Villarreal, Assistant City Secretary
David Hill, Council Representative

1. Call to Order

Chairman Chad Hicks called the meeting to order.

2. Approval of minutes of Park Board meeting of March 8, 2018

Action:

Mr. Coy Sevier moved to approve the minutes of the Park Board meeting of March 8, 2018. Vice Chairman Ginger Cole seconded, All Ayes.

3. Consider seasonal vendor permit at Lake Waxahachie

Action:

Vice Chairman Ginger Cole moved to approve the seasonal vendor permit at Lake Waxahachie for What's SUP & Kayaks. Ms. Betsy Engelbrechtsen seconded, All Ayes.

4. Request to appear by Dr. Jamaal Rasheed to discuss new historical information about park(s) and future design ideas

Dr. Jamaal Rasheed, President and CEO of the Ellis County African American Hall of Fame, appeared before the board to discuss new historical information about parks and future design ideas. He explained *The Negro Motorist Green-Book* is a historical book written to guide African Americans to safe locations when traveling during segregation. He noted there are three locations in Waxahachie that are listed in this book: 427 E. Main, 418 E. Main, and 430 E. Main (Freedman Memorial Park) and he would like to have signage or a historical marker to identify these locations.

Dr. Rasheed also informed the board about Ellis County's most tragic truck accident on August 5, 1947 that killed a total of twenty men, nineteen of which were African American who were riding together on their way to pick cotton. All nineteen men are buried in Prince Hall Fraternal Cemetery in Waxahachie. He reported there is a slab where a house once set that was used as

(6e)

an African American hospital that he would like to put a memorial to honor all twenty men killed.

Board members thanked Dr. Rasheed for attending the meeting and suggested he also contact Historic Waxahachie and the Tax Increment Reinvestment Zone for assistance in the projects.

5. Hear update on park projects

Mr. Smith reported on the following park projects:

- Mustang Creek Park should be completed in the next few weeks.
- Little Creek Trail design documents are in and staff is working on easements with property owners.
- Boat Dock Park reconfiguration to the entry ramps and board parking will be evaluated over Memorial Day weekend. If successful, Spring Park reconfiguration will be next.
- Penn Park Phase 2 bid will be out next week.

Mr. William Major inquired about charging fees for lake permits. Mr. Smith explained that is still an option to evaluate after Memorial Day weekend. Ms. Betsy Engelbrechtsen asked if Mr. Smith is following up with the surrounding homeowners at the lake and Mr. Smith noted they are following up with him.

Vice Chairman Ginger Cole inquired about the trail from Waxahachie to Midlothian. Mr. Smith explained the city's grant money is being used but the project is conceptual at this point.

Mr. Major asked about extending the current hike and bike trail. Mr. Smith explained he has submitted a grant to the State of Texas to extend with a soft surface trail from the amphitheater to Howard Road.

6. Hear update on park activities

Mr. Smith reported the lady campers in the park event held two weeks ago was a success. He praised his department for preparing the park and assisting throughout the weekend. Assistant City Manager Albert Lawrence noted he and City Manager Michael Scott received several praises on all city staff assisting with the camper event and the Film Festival.

Mr. Smith also mentioned the following upcoming activities:

- Car show
- Church revival at Penn Park. He noted citizens are really utilizing the park and pavilion.
- Tree trimming/tree climbing event
- Splash pads will open next week

7. Public Comments

None

8. Adjourn

(lee)

Park Board
May 3, 2018
Page 3

There being no further business, the meeting adjourned at 3:49 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary

DRAFT

(let)

**MID-WAY REGIONAL AIRPORT
JOINT AIRPORT BOARD MINUTES**

A regular meeting of the Mid-Way Regional Airport Joint Airport Board was held on Thursday, April 12, 2018, at 4:00 p.m., in the Rex Odom Conference Room, at Mid-Way Regional Airport, 131 Airport Dr., Midlothian, Texas.

Members Present: Drew Sambell, Chair
Ray Barksdale, Secretary
David Box
Kyle Ballard
Randall Porche
Alex Smith

Members Absent: Kent McGuire

Others Present: Judy Demoney, Airport Manager
Tammy Bowen, Airport Operations Assistant
Chris Dick, Manager, City of Midlothian
Albert Lawrence, Assistant Manager, City of Waxahachie

REGULAR AGENDA

Opening: Drew Sambell called the meeting to order, and gave the invocation.

Board Announcements: There were no Board announcements.

CONSENT AGENDA:

- Minutes of Meeting held March 1, 2018
- Minutes of Special Meeting held March 26, 2018
- Financial Report
- Manager's Report
- Airport Operation's Report
- FBO Report

Kyle Ballard moved to approve the Consent Agenda as presented; second by Kyle Ballard. All Ayes.

REGULAR AGENDA:

Negotiating Committee for the 2019 FBO contract: Drew Sambell said that David Box agreed to Chair the Negotiating Committee for the 2019 FBO contract along with Ray Barksdale and himself.

FY 2019 airport budget: Judy Demoney said that she and Tammy Bowen attended budget training last week. The preliminary budget is due to the Finance Department on May 1st. The Airport Board Finance Committee agreed to meet on April 25th at 2:00 pm. Judy said that the whole Board would then need to approve the budget in the May 10th Board meeting. The Airport's budget review with the City team will be on May 22nd with the final budgets due June 1st.

Hangar Lease Rates: Judy Demoney reminded the Board that last year the Board increased the hangar rates by 8% which brought them up to twenty-five cents per square foot. The Board agreed to review the rates on an annual basis around April when the new survey comes out. Judy said that she recently received the survey of Airport rates and the average bumped up to twenty-eight cents per square foot. Judy's recommendation was to keep the rates the same this year since there has not been much of a change.

Alex Smith made a motion to keep the hangar rates the same and review the hangar rates again next year;
second by Randal Porche. All Ayes.

Executive Session: The Board adjourned into Executive Session to deliberate economic development negotiations as permitted by the Texas Government Code, Section 551.087, at 4:10 p.m.

Regular Session: The Board reconvened to Regular Session at 4:38 p.m. No action was taken.

Other Business: Tammy Bowen told the Board that she has been working on the pancake breakfast fly-in, and will be sending out a work schedule in May.

Public Comments: There were no public comments.

Adjournment: There being no further business,

Ray Barksdale moved to adjourn; second by Randall Porsche. All Ayes.

Respectfully submitted, Tammy Bowen, Airport Operations Assistant

(leg)

Planning & Zoning Department Plat Staff Report

Case: FP-18-0028



MEETING DATE(S)

Planning & Zoning Commission: April 24, 2018

City Council: May 7, 2018

CAPTION

Request by David Hargrove, Legacy Grove Development, LLC, for a **Final Plat** of Garden Valley Farms, Phase 2, for 78 lots, being 24.018 acres out of J.B. and Ann Adams Survey, Abstract 5 (Property ID 179060) – Owner: LEGACY GROVE DEVELOPMENT LLC (FP-18-0028)

CASE INFORMATION

Applicant: David Hargrove, Legacy Grove Development, LLC

Property Owner(s): Legacy Grove Development, LLC

Site Acreage: 24.0128 acres

Number of Lots: 78 lots

Number of Dwelling Units: 78 units

Adequate Public Facilities: Per the City Engineer, "Final Letter of Acceptance of the Public Infrastructure is necessary prior to final recording."

SUBJECT PROPERTY

General Location: NW and SW corner of intersection of Garden Valley Parkway and Sagebrush Lane

Parcel ID Number(s): 179060

Current Zoning: Planned Development-Single Family-2 (PD-SF2) Ordinance 2137 and 2777

Existing Use: Currently undeveloped

Platting History: PLM2015-34 was approved by City Council on November 16, 2015. FP-17-0003, for the first phase, was approved by City Council on February 20, 2017.

(leg)

Site Aerial:



STAFF CONCERNS

1. The final Letter of Acceptance is required before this plat can be filed.
2. An HOA needs to be established. This HOA needs to cover both phases of Garden Valley Farms.

APPLICANT RESPONSE TO CONCERNS

1. Applicant is working to establish an HOA to maintain the open space and screening wall.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. The final Letter of Acceptance is required before this plat can be filed.
 2. An HOA needs to be established that covers both phases of Garden Valley Farms.

ATTACHED EXHIBITS

1. Final plat

APPLICANT REQUIREMENTS

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

(69)

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner I

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

ACTION SINCE INITIAL STAFF REPORT

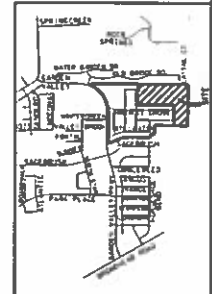
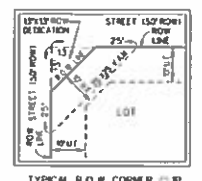
At the Planning & Zoning Commission meeting, held April 24, 2018, the Commission voted 5-0 to recommend approval of plat no. FP-18-0028, subject to staff comments.

NORTH CENTRAL TEXAS
ZONE 4202
STATE PLANE COORDINATE
SYSTEM NAD83
X 2490363.397
Y 6839679.096

THE ESTATES OF GARDEN VALLEY
CAB. H. PG. 419
PD: SF-1 ZONING

0 50 100 200
SCALE 1" = 100'

POINT OF BEGINNING



CURVE NO.	RADIUS (FT.)	LENGTH (FT.)	DELTA	TANGENT (FT.)	CHORD (FT.)	CHORD BEARING
C42	50.00	28.96	33°47'26"	14.90	28.56	N 10°44'53" E
C43	50.00	8.88	10°10'13"	4.43	8.86	S 47°36'54" W
C44	50.00	74.17	84°59'30"	43.81	67.58	N 88°48'05" W
C45	50.00	43.89	50°17'52"	23.47	42.50	N 10°20'05" E
C46	50.00	40.00	45°50'12"	21.14	38.94	N 38°43'47" W
C47	50.00	57.98	63°31'08"	32.17	54.11	S 87°35'38" W
C48	50.00	52.86	62°34'18"	29.20	50.43	S 82°16'56" E
C49	50.00	40.00	45°50'12"	21.14	38.94	N 44°32'49" E
C50	50.00	54.62	83°35'11"	30.39	51.94	N 9°59'57" W
C51	50.00	4.99	3°15'25"	2.30	4.99	N 43°35'40" W

- NOTES:
- 1. D.E. - Drainage Easement
 - 2. U.E. - Utility Easement
 - 3. R.O.W. - Right of Way
 - 4. I.R.F. - Iron Rod Found
 - 5. I.R.S. - Iron Rod Set
 - 6. TYP. - Typical
 - 7. M.O.A. - Home Owners Association
 - 8. W.M.E. - Well Maintenance Easement to City
 - 9. L.D.E. - Lot to Lot Drainage Easement
 - 10. To be maintained by lot owners.
 - 11. 2. 78 Residential Lots
 - 12. Street Name Change Indicator.
 - 13. House to front on this street.
 - 14. 1/2 inch iron rods set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way lines, and lot corners unless otherwise noted.
 - 15. "Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State law and is subject to fines and withholding of utilities and building permits."
 - 16. Existing Zoning PD SF-2 per Ordinance No. 2137 & 2777. This plan has 78 PD SF-2 lots.
 - 17. The minimum lot size for SF-2 is 6,500 square feet.
 - 18. The minimum dwelling living area for SF-2 is 1,600 square feet.
 - 19. The subject property lies within a Zone X (unshaded) outside the 0.2% annual chance floodplain according to Flood Insurance Rate Map, City of Waxahachie, Ellis County Texas, Map # 4813000200, Published June 3, 2013 by Federal Emergency Management Agency.
 - 20. See LIME TABLE and additional curve data on Sheet 2 of 3.
 - 21. Existing Temporary Drainage Easements As Recorded in Ellis County Clerk Instrument No. 1704775 & 1704716 is hereby Abandoned By this Plat.
 - 22. Lot 36A Block 9 will be owned and maintained by Legacy Grove Development, LLC.

- V.A.M. - Viability, Access and Maintenance Easement
- S.U.E. - Sight & Utility Easement
- W.L.E. - Water Line Easement
- S.S.E. - Sanitary Sewer Easement
- C.W.U.E. - City of Waxahachie Utility Easement
- R.R. - Railroad Spike
- S.U.D. - Special Utility District
- B.L. - Building Line
- C.I.R.F. - Capped Iron Rod Found
- U.E. - Utility Easement
- P.W.E. - Private Well Maintenance Easement to MOA
- O.E.E. - On-car Electric Delivery Company Easement

LINE NO.	LENGTH (FT.)	BEARING
L1	185.74	S 01°14'07" W
L2	377.84	N 88°47'36" E
L3	165.00	N 01°10'24" E
L4	20.68	N 88°49'58" W
L5	249.65	N 00°00'00" E
L6	15.00	S 90°00'00" E
L7	50.00	N 00°00'00" E
L8	15.00	S 90°00'00" W
L9	15.00	N 00°00'00" E
L10	1031.00	S 90°00'00" W
L11	15.00	N 00°00'00" E
L12	15.00	S 90°00'00" E
L13	50.00	N 90°00'00" E
L14	15.00	S 90°00'00" W
L15	230.00	N 90°00'00" E
L16	46.57	S 90°00'00" E
L17	180.00	N 00°00'00" E
L18	1294.35	S 90°00'00" E
L19	18.38	S 45°00'00" E
L20	18.38	S 45°00'00" W
L21	18.57	N 44°34'48" W
L22	18.20	N 45°35'12" E
L23	18.02	S 00°00'00" E
L24	178.84	N 57°32'34" E
L25	19.32	N 57°32'34" E

HARVEST GROVE DR.
CAB. I, SLIDE 792

HAY MEADOW DR.
CAB. I, SLIDE 792

CALLED 98.714 ACRES
DIRK NOWITZKI
VOL 2457, PG. 856 D.R.E.C.T.
AC ZONING (in ETJ)

NORTH CENTRAL TEXAS
ZONE 4202
STATE PLANE COORDINATE
SYSTEM NAD83
X 2491380.516
Y 6838546.230

FINAL PLAT
OF
GARDEN VALLEY FARMS, PHASE 2
24.018 ACRES (78 LOTS)

OUT OF THE
J.B. & ANN ADAMS SURVEY
ABSTRACT 5
IN THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

ZONING PD SF-2
PD-67 ORDINANCE 2137 & 2777

OWNER
LEGACY GROVE DEVELOPMENT, LLC

101 VALLEY RIDGE
RED OAK, TX 75154

(214) 400-5903 FAX (972) 227-3862

DEED RECORDED IN INSTRUMENT 1724760 O.P.R.E.C.T.

ENGINEER
HARRINGTON ENGINEERING, INC. SURVEYOR
RONALD D. SMITH, SURVEYOR, INC.

P.O. BOX 140447
DALLAS, TX 75214

P.O. BOX 1878
FORSYTH, TX 75186

(214) 624-0324 FAX (214) 824-9325
FIRM REGISTRATION NO. P-1524
APRIL 11, 2018

(972) 584-0640 FAX (972) 584-9007
FIRM REGISTRATION NO. D10023-00
APRIL 11, 2018

SCALE 1" = 100'
SHEET 1 OF 2

2A

**24.018 ACRE LEGAL DESCRIPTION
GARDEN VALLEY FARMS, PHASE 2**

WHEREAS, Legacy Grove Development, LLC is the Owner of a 24.018 acre tract of land situated in the J.B. and Ann Adams Survey, Abstract No. 5, City of Waxahachie, Ellis County, Texas and being a portion of that certain 189.258 acre tract of land as conveyed to WP Legacy, Ltd., as recorded in Volume 2454, Page 1811, Deed Records, Ellis County, Texas (from hereon called "D.R.E.C.T."), and being all of that certain 24.018 acre tract of land as conveyed to Legacy Grove Development, LLC, as recorded in Ellis County Clerk Instrument No. 1724789, Official Public Records Ellis County Texas (from hereon called "O.P.R.E.C.T."); Said 24.018 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" Iron rod with red plastic cap stamped "ADVANCED RPLS 5427" found for corner (from hereon called "1/2" C.I.R.L.S."), being the southeast corner of The Estates of Garden Valley, an addition to the City of Waxahachie, Texas, according to the plat thereof recorded in Cabinet H, Slide 418, Plat Records, Ellis County, Texas (from hereon called "P.R.E.C.T."), said point also being on the west line of a 27.497 acre tract of land, owned by Nan E. Burleson, as recorded in Volume 2646, Page 1708 (D.R.E.C.T.), said point also being the northeast corner of the aforementioned WP LEGACY, LTD. tract;

THENCE North 01 degrees 14 minutes 07 seconds West, along the common easterly line of the aforementioned Legacy Grove Development, LLC tract and the west line of the aforementioned Nan E. Burleson tract, at 662.84 feet passing the most north northwest corner of that certain 98.714 acre tract of land as conveyed to Dirk Nowitzki as recorded in Volume 2457, Page 0856, D.R.E.C.T., continuing a total distance of 1163.24 feet to a 1/2 inch iron rod found at an old corner;

THENCE North 88 Degrees 49 Minutes 36 Seconds West along the common most southerly south line of the aforementioned Legacy Grove Development, LLC tract, and the most southerly north line of the aforementioned Dirk Nowitzki tract, a distance of 377.54 feet, to a 1/2 inch iron rod set, with cap stamped RDS, INC., (from hereon called "1/2" C.I.R.L.S."), said point being the most east southeast corner of Garden Valley Farms, Phase 1, an addition to the City of Waxahachie, Texas, according to the plat thereof recorded in Ellis County Clerk Instrument No 1706553 (Cabinet I, Slide 792), P.R.E.C.T.;

THENCE North 1 Degrees 10 Minutes 24 Seconds East, departing the common most southerly south line of the aforementioned Legacy Grove Development, LLC tract, and the most southerly north line of the aforementioned Dirk Nowitzki tract, along the easterly line of the aforementioned Garden Valley Farms, Phase 1, a distance of 155.00 feet, to a 1/2" C.I.R.L.S.;

THENCE along the easterly line of the aforementioned Garden Valley Farms, Phase 1 the following:

North 88 Degrees 49 Minutes 36 Seconds West a distance of 20.66 feet, to a 1/2" C.I.R.L.S.;

North 0 Degrees 00 Minutes 00 Seconds East a distance of 249.55 feet, to a 1/2" C.I.R.L.S.;

South 90 Degrees 00 Minutes 00 Seconds East a distance of 15.00 feet, to a 1/2" C.I.R.L.S.;

North 0 Degrees 00 Minutes 00 Seconds East a distance of 50.00 feet, to a 1/2" C.I.R.L.S.;

South 90 Degrees 00 Minutes 00 Seconds West a distance of 15.00 feet, to a 1/2" C.I.R.L.S.;

North 0 Degrees 00 Minutes 00 Seconds East a distance of 115.00 feet, to a 1/2" C.I.R.L.S.;

South 90 Degrees 00 Minutes 00 Seconds West a distance of 1021.00 feet, to a 1/2" C.I.R.L.S.;

North 0 Degrees 00 Minutes 00 Seconds West a distance of 115.00 feet, to a 1/2" C.I.R.L.S.;

South 90 Degrees 00 Minutes 00 Seconds East a distance of 15.00 feet, to a 1/2" C.I.R.L.S.;

North 0 Degrees 00 Minutes 00 Seconds East a distance of 50.00 feet, to a 1/2" C.I.R.L.S.;

South 90 Degrees 00 Minutes 00 Seconds East a distance of 15.00 feet, to a 1/2" C.I.R.L.S.;

North 0 Degrees 00 Minutes 00 Seconds East a distance of 230.00 feet, to a 1/2" C.I.R.L.S.;

South 90 Degrees 00 Minutes 00 Seconds East a distance of 46.57 feet, to a 1/2" C.I.R.L.S.;

North 0 Degrees 00 Minutes 00 Seconds East a distance of 180.00 feet, to a 1/2" C.I.R.L.S., said point being in the northerly line of the aforementioned Legacy Grove Development, LLC tract and southerly line of the aforementioned The Estates of Garden Valley;

THENCE South 90 Degrees 00 Minutes 00 Seconds East, along the common northerly line of the aforementioned Legacy Grove Development, LLC tract and southerly line of the aforementioned The Estates of Garden Valley, a distance of 1394.35 feet to the POINT OF BEGINNING, containing 1,046,231.37 square feet or 24.018 acres more or less.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Ronald D. Smith, do hereby certify that I prepared this plat from an actual and accurate survey of the land and the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

RELEASED FOR REVIEW PURPOSES ONLY 04/11/2018 NOT TO BE RECORDED

Ronald D. Smith, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4944

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Ronald D. Smith, know 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 considerations.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018

Notary Public in and for the State of Texas



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT LEGACY GROVE DEVELOPMENT, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as GARDEN VALLEY FARMS, PHASE 2, an addition to the City of Waxahachie, Texas and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys and easements shown thereon. The streets and the alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with construction, maintenance or efficiency of their respective systems in said easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

The area or areas shown on the plat as "VAM" (Visibility, Access and Maintenance) Easement(s) are hereby given and granted to the City, its successors and assigns, as an easement to provide visibility, right of access for maintenance upon and across said VAM Easement. The City shall have the right but not the obligation to maintain any and all landscaping within the VAM Easement. Should the City exercise this maintenance right, then it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover and fixtures. The City may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the owners. No building, fence, shrub, tree or other improvements or growths, which in any way may endanger or interfere with the visibility, shall be constructed in, on, over or across the VAM Easement. The City shall also have the right but not the obligation to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstruction thereon. The City, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

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

WITNESS MY HAND, this _____ day of _____, 2018.

LEGACY GROVE DEVELOPMENT, LLC, a Texas limited partnership

By: _____

Name: David Hargrove
Title: Manager

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared David Hargrove, 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 considerations.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018.

Notary Public in and for the State of Texas

GARDEN VALLEY FARMS, PHASE 2 - LOT AREA TABLE - 78 LOTS					
BLOCK 7		BLOCK 8		BLOCK 11	
Lot #	Area of Lot (SF)	Lot #	Area of Lot (SF)	Lot #	Area of Lot (SF)
15	9,230.50	15	7,475.00	1	10,495.50
16	7,475.00	16	7,475.00	2	9,545.00
17	7,475.00	17	7,475.00	3	7,475.00
18	7,475.00	18	6,003.36	4	7,475.00
19	7,475.00	19	13,044.67	5	7,475.00
20	7,475.00	20	7,829.23	6	7,475.00
21	7,475.00	21	7,772.19	7	7,475.00
22	7,475.00	22	7,868.70	8	7,475.00
23	7,475.00	23	7,859.79	9	7,475.00
24	7,475.00	24	8,643.22	10	7,475.00
25	7,475.00	25	14,741.80	11	7,475.00
26	7,475.00	26	10,069.26	12	7,475.00
27	9,545.00	27	7,799.47	13	7,475.00
28	10,495.50	28	7,800.00	14	9,230.50
BLOCK 10		29	9,636.50	15	10,495.50
6	10,790.00	30	7,800.00	16	10,120.00
7	10,790.00	31	7,800.00	17	10,120.00
8	10,790.00	32	7,800.00	18	10,120.00
9	10,790.00	33	7,800.00	19	10,120.00
10	10,790.00	34	7,800.00	20	10,120.00
11	10,790.00	35	7,561.08	21	10,120.00
12	10,790.00	36A	185,438.07	22	10,120.00
13	10,790.00			23	10,120.00
14	10,790.00			24	9,545.00
15	10,790.00			25	10,495.50
16	10,790.00				
17	9,841.85				
BLOCK 12					
1	8,858.14	ROW E	41,080.28		
2	9,545.00	ROW N	118,739.54		
3	10,495.50	ROW CLUP	508.98		
4	10,495.50	SUM ROW	180,336.80		
5	9,545.00	ROW AC	3.881		
6	9,829.03				
				AC	24.018

**FINAL PLAT
OF
GARDEN VALLEY FARMS, PHASE 2**

24.018 ACRES (78 LOTS)

OUT OF THE
J.B. & ANN ADAMS SURVEY
ABSTRACT 5

IN THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

SONING PD SP-2
PD-67 ORDINANCE 8157 & 8777

OWNER
LEGACY GROVE DEVELOPMENT, LLC

101 VALLEY RIDGE
RED OAK, TX 75154

(214) 406-5903 FAX (972) 827-3882

DEED RECORDED IN INSTRUMENT 1724789 O.P.R.E.C.T.

ENGINEER
HARRINGTON ENGINEERING, INC. SURVEYOR
RONALD D. SMITH, SURVEYOR, INC.

P.O. BOX 140447
DALLAS, TX 75214

(214) 624-9324 FAX (214) 624-9328

FIRM REGISTRATION NO. P-1824

APRIL 11, 2018

SHEET 2 OF 2

P.O. BOX 1676

FORNEY, TX 75126

(972) 564-0640 FAX (972) 564-0657

FIRM REGISTRATION NO. 101023-00

SCALE: 1"=100'

(leh)



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Executive Director of Development Services
Thru: Michael Scott, City Manager *MS*
Date: May 4, 2018
Re: Utilities Field Office Construction Reimbursement Resolution

On Monday May 7, 2018 a reimbursement resolution associated with the Utilities Department's new field operations building will appear before City Council for its consideration. This project is a planned capital expense and will ultimately be funded through certificate of obligation bonds. This item will authorize a reimbursement to the Water and Wastewater Funds' Working Capital for expended funds associated with the construction, from the proceeds of future debt. Current Working Capital balances are more than sufficient for the maximum amount of funds committed and Finance anticipates selling bonds in early Summer 2018. The construction of the field operation building was awarded to the Nay Company by City Council on January 16, 2018 in the amount of \$900,657.00. The building is currently ahead of schedule and within budget. Staff anticipates construction completion prior to October 2018.

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

Tommy Ludwig

(leh)

RESOLUTION NO.

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE CONSTRUCTION OF A FIELD OFFICE BUILDING FOR THE UTILITIES DEPARTMENT

WHEREAS, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for the construction of a field office building for the Utilities Department, and related expenses prior to the issuance of such debt with the expectation that such expenditures are to be reimbursed with proceeds of such debt; and

WHEREAS, Treas. Reg. § 1.150-2 (the "Regulation") provides that to fund such reimbursement with proceeds of tax-exempt obligations the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the expenditures with proceeds of tax-exempt obligations.

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

SECTION 1

That the City reasonable expects to reimburse the Water and Wastewater Funds' Working Capital with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intend under the Regulation.

SECTION 2

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution including a loan from Working Capital in an amount not to exceed \$945,000

SECTION 3

That this resolution shall take effect immediately from and after the date of passage.

ADOPTED THIS 7th day of May, 2018.

MAYOR

ATTEST:


City Secretary

(6i)



Memorandum

To: Honorable Mayor and City Council

From: Michael Scott, City Manager 

Thru:

Date: April 24, 2018

Re: Budget Amendment for Technology Improvements in Conference Room

I am requesting an amendment to the FY2017-18 budget in the amount of \$7,300 for the purchase of enhanced technology equipment for the Council Conference Room. As you know, this room is used heavily for City Council meetings, staff meetings, Development Review Committee weekly meetings, as well as on numerous other occasions. Improving the presentation equipment will be useful to better serve users in all these meetings.

Specifically, we intend to install an 86" touchscreen monitor, new PC and necessary peripheral equipment. After considering a number of different options, this configuration was not only determined to serve us the best functionally, but is also one of the more cost-effective options.

Again, I am requesting a budget amendment in the amount of \$7,300 to budget line item 100-160-56104.

Thank you for your consideration.

(6j)

Application for a Festival or Event Permit

Event Name and Description: Salvation Army Boys and girls club
of Ellis County 5K RACE

Applicant Information

Name: Robert Coriston
Address: 201 Sioux Drive
City, State, Zip: Waxahachie, TX 75165 Phone: 469 658-2234
E-mail Address: Robert.Coriston@uss.salvationarmy.org

Organization Information

Organization Name: Salvation Army
Address: 620 Farley, Waxahachie, TX, 75165
Authorized Head of Organization: Robert Coriston
Phone: (972) 937-7727 E-mail Address: Robert.Coriston@uss.SalvationArmy.org

Event Chairperson/Contact

Name: John Smith
Address: 401 S. Rogers St.
City, State, Zip: Wax TX 75165 Phone: 469 309 4271
E-mail Address: jsmith@waxahachie.com

Event Information

Event Location/Address: Downtown
Purpose: Boys & Girls and Army Fund Raiser
Event Start Date and Time: 11-3-18 7:30 am

(lej)

Event End Date and Time: 12:00 pm 11-3-18

Approximate Number of Persons Attending Event Per Day: 400

Site Preparation and Set-Up Date and Time: 6 am 11-3-18

Clean-Up Completion Date and Time: 12:30 11-3-18

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc.

Fun run will Travel From downtown on Franklin to Getz Park and return along Hike + Bike Trail. College St. is requested closed from Jefferson to Franklin and Franklin is requested closed between College + Rogers. Vendor Booths + Start/Finish lines will be in this area. Police assistance is requested for crossing Hwy 77.

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

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

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

Will dumpsters be needed? NO

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

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

[Signature]

3/13/18

Signature of Applicant

Date

(lej)

Villarreal, Amber

From: Brown, Anita
Sent: Tuesday, March 20, 2018 11:55 AM
To: Villarreal, Amber; Smith, John; Ricky Boyd; Wade Goolsbey; Dale Sigler; Borders, Amy; Mosley, Laurie; Cole, Leila; Marcus Brown
Cc: Cartwright, Lori; Scott, Michael
Subject: RE: Event Application-Salvation Army 5k

I don't have any issues with this event and I greatly appreciate John shifting part of his event space to the 200 block of S. College to accommodate the Farm to Table dinner that will be setting up in the 100 block of S. College. Thanks, John!



From: Villarreal, Amber
Sent: Tuesday, March 20, 2018 11:26 AM
To: Smith, John; Ricky Boyd; Wade Goolsbey; Dale Sigler; Borders, Amy; Brown, Anita; Mosley, Laurie; Cole, Leila; Marcus Brown
Cc: Cartwright, Lori; Scott, Michael
Subject: Event Application-Salvation Army 5k

For your review/comments.

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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(lej)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Tuesday, March 20, 2018 12:40 PM
To: Villarreal, Amber
Subject: RE: Event Application-Salvation Army 5k

I don't have any concerns with this request.

Ricky Boyd, Fire Chief
Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Tuesday, March 20, 2018 11:26 AM
To: Smith, John <jsmith@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Borders, Amy <aborders@waxahachie.com>; Brown, Anita <abrown@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Cole, Leila <lcole@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Cartwright, Lori <lcartwright@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>
Subject: Event Application-Salvation Army 5k

For your review/comments.

Amber Villarreal, TRMC
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(lej)

Villarreal, Amber

From: Marcus Brown <mbrown@waxahachiepd.org>
Sent: Tuesday, March 20, 2018 12:27 PM
To: Villarreal, Amber
Subject: RE: Event Application-Salvation Army 5k

Looks good to me.

Thanks,

Marcus

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Tuesday, March 20, 2018 11:26 AM
To: John Smith <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Borders, Amy <aborders@waxahachie.com>; Brown, Anita <abrown@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Leila Cole <lcole@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Cartwright, Lori <lcartwright@waxahachie.com>; Michael Scott <msscott@waxahachie.com>
Subject: Event Application-Salvation Army 5k

For your review/comments.

Amber Villarreal, TRMC
Assistant City Secretary
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Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
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(6j)

Villarreal, Amber

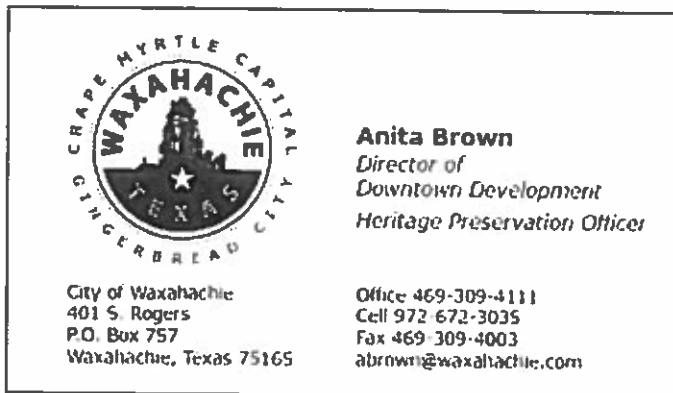
From: Mosley, Laurie
Sent: Tuesday, March 20, 2018 12:11 PM
To: Brown, Anita; Villarreal, Amber; Smith, John; Ricky Boyd; Wade Goolsbey; Dale Sigler; Borders, Amy; Cole, Leila; Marcus Brown
Cc: Cartwright, Lori; Scott, Michael
Subject: RE: Event Application-Salvation Army 5k

As long as John and Anita are good with the logistics, I am good with the event.

Thanks,
Laurie

From: Brown, Anita
Sent: Tuesday, March 20, 2018 11:55 AM
To: Villarreal, Amber <avillarreal@waxahachie.com>; Smith, John <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Borders, Amy <aborders@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Cole, Leila <cole@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Cartwright, Lori <lcartwright@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>
Subject: RE: Event Application-Salvation Army 5k

I don't have any issues with this event and I greatly appreciate John shifting part of his event space to the 200 block of S. College to accommodate the Farm to Table dinner that will be setting up in the 100 block of S. College. Thanks, John!



From: Villarreal, Amber
Sent: Tuesday, March 20, 2018 11:26 AM
To: Smith, John; Ricky Boyd; Wade Goolsbey; Dale Sigler; Borders, Amy; Brown, Anita; Mosley, Laurie; Cole, Leila; Marcus Brown
Cc: Cartwright, Lori; Scott, Michael
Subject: Event Application-Salvation Army 5k

For your review/comments.

Amber Villarreal, TRMC
Assistant City Secretary

(6j)

Villarreal, Amber

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Tuesday, March 20, 2018 1:11 PM
To: Villarreal, Amber
Subject: RE: Event Application-Salvation Army 5k

Approved. We can provide an officer at the beginning of the race to get across Hwy 77.

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Tuesday, March 20, 2018 11:26 AM
To: John Smith <jsmith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Dale Sigler <dsigler@waxahachiepd.org>; Borders, Amy <aborders@waxahachie.com>; Brown, Anita <abrown@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Leila Cole <lcole@waxahachie.com>; Marcus Brown <mbrown@waxahachiepd.org>
Cc: Cartwright, Lori <lcartwright@waxahachie.com>; Michael Scott <msscott@waxahachie.com>
Subject: Event Application-Salvation Army 5k

For your review/comments.

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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(Leila)

Villarreal, Amber

From: Cole, Leila
Sent: Wednesday, April 25, 2018 2:25 PM
To: Villarreal, Amber
Cc: Del Buono, Mary
Subject: RE: Event Application-Salvation Army 5k

Sorry about the delay on this! I don't know how I missed this one.

This event is approved! ☺ I have verified with the applicant that they will be using a permitted establishment to cater the event.

Thanks,

Leila Cole

City of Waxahachie
Health Inspector – Building & Community Services
Texas Standardized - Retail Food Inspection Officer
Office: 469-309-4138 / City Cell: 972-351-3219
Fax: 469-309-4139



From: Villarreal, Amber
Sent: Wednesday, April 25, 2018 10:19 AM
To: Cole, Leila
Cc: Del Buono, Mary
Subject: FW: Event Application-Salvation Army 5k

Hi Leila!

I was just following up to see if you've had time to review the attached event application.

Thank you!

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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(16K)

Application for a Festival or Event Permit

Event Name and Description: Waxahachie Craft Beer & Music
Festival - 50-75 craft breweries serving samples, live
music all day

Applicant Information

Name: Amber Caverly
Address: 301 S. Rogers
City, State, Zip: Wax TX 75165 Phone: 214-679-8778
E-mail Address: acaverly@sbcglobal.net

Organization Information

Organization Name: Waxahachie Downtown Merchants Assoc
Address: 2902 PO Box 2902 Wax TX 75168
Authorized Head of Organization: Amber Caverly
Phone: 214-679-8778 E-mail Address: acaverly@sbcglobal.net

Event Chairperson/Contact

Name: Same - Amber
Address: _____
City, State, Zip: _____ Phone: _____
E-mail Address: _____

Event Information

Event Location/Address: S. Rogers & Jefferson streets (see map)
Purpose: Promote downtown
Event Start Date and Time: June 16th 10a - 8:30p

(16K)

Event End Date and Time: June 16th 830p

Approximate Number of Persons Attending Event Per Day: 1000

Site Preparation and Set-Up Date and Time: 10a - 12p June 16th

Clean-Up Completion Date and Time: June 16th 830p

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc.

Already granted Jefferson St. Closure from S. Rogers to College.
* Need closure of S. Rogers from Franklin to Jefferson for music.
Brewery booths will be set up on Jefferson. Music stage to be
set up at North End of S. Rogers near Franklin

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

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

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

Will dumpsters be needed? Trashcans - yes

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

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

Amber Carrerly

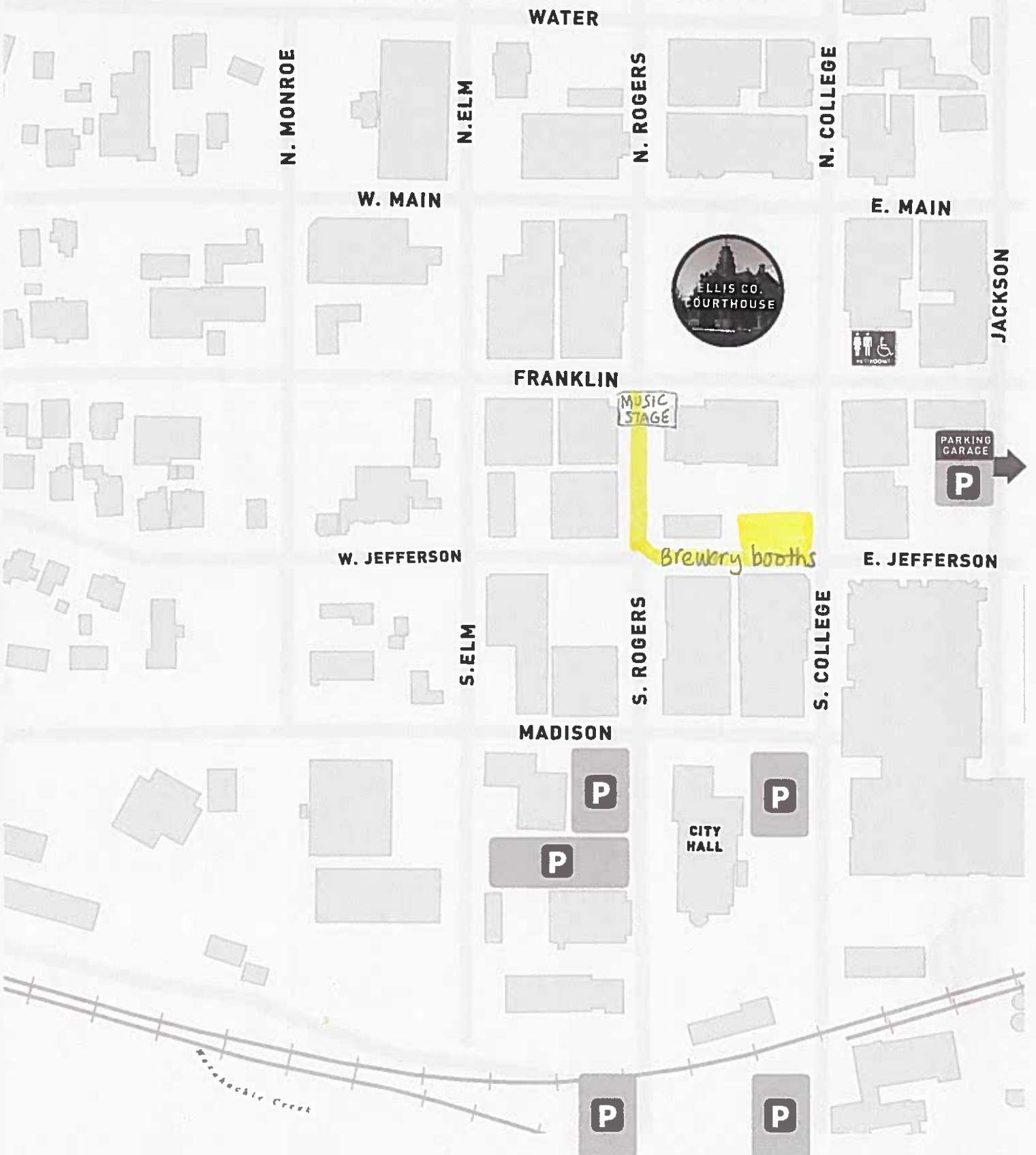
4-10-18

Signature of Applicant

Date



(lek)



(lek)

Approved:
by council
2/5/2018



Memorandum

To: Honorable Mayor and City Council

From: Anita Brown AB

Thru: Michael Scott, City Manager

Date: January 18, 2018

Re: Craft Beer Festival

I would like to place the following item on the agenda for the City Council meeting to be held on Monday, February 5, 2018:

The Downtown Merchants Association is hosting its first Craft Beer Festival on Saturday, June 16, 2018. The event will take place from 10 am to 5 pm. In order to hold this event, they are requesting

Close Jefferson Street from Rogers to College from 8 am to 6 pm

As this is a side street, no storefronts will be blocked. The only businesses directly affected by this closure are Dove's Nest and The Velvet Angel. Both are organizers of this event.

If you have any questions or need further information please contact me.

Anita Brown

(LK)

Villarreal, Amber

From: Brown, Anita
Sent: Friday, April 13, 2018 9:48 AM
To: Villarreal, Amber; Mosley, Laurie; Ricky Boyd; Wade Goolsbey; Marcus Brown
Subject: RE: Event Permit-Craft Beer & Music

Several businesses will be affected by this new street closure. They need to visit with the businesses that will be affected and get their buy-in—or at least let them know what to expect.

Other than that, I think it will be a great event!

Anita

From: Villarreal, Amber
Sent: Friday, April 13, 2018 8:18 AM
To: Brown, Anita; Mosley, Laurie; Ricky Boyd; Wade Goolsbey; Marcus Brown
Subject: Event Permit-Craft Beer & Music

For your review/comments. *Note-the event was approved by council on 2/5/18, but an additional street closure is included with this new request.

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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(let)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Friday, April 13, 2018 8:46 AM
To: Villarreal, Amber
Subject: RE: Event Permit-Craft Beer & Music

I have no concerns with this request.

Ricky Boyd, Fire Chief
Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Friday, April 13, 2018 8:18 AM
To: Brown, Anita <abrown@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Marcus Brown <mbrown@waxahachiepd.org>
Subject: Event Permit-Craft Beer & Music

For your review/comments. *Note-the event was approved by council on 2/5/18, but an additional street closure is included with this new request.

Amber Villarreal, TRMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
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(6K)

Villarreal, Amber

From: Mosley, Laurie
Sent: Friday, April 13, 2018 9:03 AM
To: Villarreal, Amber; Brown, Anita; Ricky Boyd; Wade Goolsbey; Marcus Brown
Subject: RE: Event Permit-Craft Beer & Music

I see no problem with the application. Thank you!!

From: Villarreal, Amber
Sent: Friday, April 13, 2018 8:18 AM
To: Brown, Anita <abrown@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Marcus Brown <mbrown@waxahachiepd.org>
Subject: Event Permit-Craft Beer & Music

For your review/comments. *Note-the event was approved by council on 2/5/18, but an additional street closure is included with this new request.

Amber Villarreal, TRMC
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APPLICATION FOR SPECIAL SEASONAL VENDORS PERMIT
AT LAKE WAXAHACHIE

Applicant Name PAT BARRETT Male _____ Female X
Home Address 200 Farley St Waxahachie TX
Street or Box No. City State
Home Phone No. 214-755-2021 Business Phone No. _____
Name to be used at business location What's SUP + Kayaks

Proposed temporary location for selling: (describe in detail) Floatation Device

Rentals - Kayaks, Tubes, Life Vest Etc / Boat Dock Area
Park

Proposed services provided: (describe in detail) Rental of Floatation
Devices

It is understood and agreed that the premises will be kept clean and neat, that no radio or other noise-making equipment will be used, that the business will only be operated between sun-up and 10:00 p.m., that sale or rental shall be allowed only for water sport related equipment such as canoes, kayaks, life preservers, fishing equipment, and water sports related equipment. No food or beverages may be sold.

The City may revoke the permit if all city, state, or other governmental rules and regulations are not followed. The permit is from 05-16, 18, to 9-30, 18.

Date April 23, 18 Pat Barrett
Applicant Signature

For Office Use Only

Date Received: 4-23-18

- ☒ Completed Application
☒ \$1,000,000 Liability Insurance
☒ \$25 fee

Staff approval: 5-1-18

Park Board Approval: 5-3-18

City Council Approval: _____

Permit issued: _____

PROCLAMATION

WHEREAS, Major Derwin Moody, a native of Waxahachie, Texas, completed the Officer Candidate Course and was commissioned as Second Lieutenant in August 1998; and

WHEREAS, upon completing The Basic School and the Logistics Officers Course, Major Moody was assigned to 2nd Maintenance Battalion, 2nd Force Service Support Group, Camp Lejeune, North Carolina where he served as the Operations Officer, Motor Transportation Officer and the Headquarters and Service Company Commanding Officer; and

WHEREAS, in January 2003, Major Moody executed permanent change of assignment orders to 2nd Light Armored Reconnaissance Battalion, 2nd Marine Division where he served as the Logistics Officer. During his tenure he deployed to Iraq supporting Regimental Combat Team 1 and 5 in direct support of Operation Iraqi Freedom; and

WHEREAS, in July 2005, Major Moody executed permanent change of station orders to Marine Corps Logistics Base, Albany, Georgia where he served as Operations Officer, Officer in Charge of Range Operations and as the Headquarters and Support Company Commanding Officer. During his tenure he also deployed to Afghanistan in direct support of Operation Enduring Freedom; and

WHEREAS, in February 2008, Major Moody executed permanent change of station orders to the Joint Guam Program Office, Office of the Assistant Secretary of the Navy for Energy, Installation, and Environment in Agat, Guam. He served as the Infrastructure and Logistics Officer in direct support of the rebasing of Marine Corps assets from Okinawa, Japan to Guam; and

WHEREAS, in July 2010, Major Moody executed permanent change of station orders to 1st Marine Aircraft Wing, 3rd Marine Expeditionary Force, Okinawa, Japan where he served various billets to include the Headquarters, Deputy Assistant Chief of Staff G-4, Operations Officer, and Executive Officer for Marine Wing Headquarters and Support Battalion. During his tenure he was selected to fulfill an individual augment in the Central Command area of operation and deployed to Kuwait in direct support of Operations New Dawn and Enduring Freedom as the Mobility Transportation Officer. In August 2013 he executed permanent change of assignment orders to 3rd Marine Expeditionary Force Headquarters, G-4 and deployed to Deagu, South Korea as the Logistics Liaison Officer; and

WHEREAS, in January 2015, Major Moody executed permanent change of station orders to 8th Marine Corps Districts, Marine Corps Recruiting Command in Fort Worth, Texas as the District Logistics Officer; and

WHEREAS, Major Moody's civilian education includes a Bachelor of Arts in Music from Texas Tech University and a Masters of Arts in Transportation and Logistics Management from American Public University; and

WHEREAS, Major Moody's personal decorations include the Defense Meritorious Service Medal, the Army Commendation Service Medal, the Meritorious Service Medal, and the Navy and Marine Corps Achievement Medal with gold star; and

WHEREAS, Major Moody and his wife, Eunkyung (Ann) have four children, Doo Yung (17), Seok Yung (15), Dominick (14), and Ariana (13); and

NOW, THEREFORE, I, Mayor Kevin Strength, along with the entire City Council do hereby proclaim May 7, 2018 as

"MAJOR DERWIN MOODY DAY"

in Waxahachie and encourage the citizens of Waxahachie and surrounding area to thank him for his honored service.

Proclaimed this 7th day of May, 2018.

MAYOR

ATTEST:

CITY SECRETARY

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PROCLAMATION

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, revitalization through historic preservation is one of the best methods of sustainable economic development in this country; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, preservation has contributed to the beauty and economic vitality of the City of Waxahachie; and

WHEREAS, “This Place Matters” is the theme for National Preservation Month 2018, sponsored by the National Trust for Historic Preservation; and

NOW, THEREFORE, I, Kevin Strength, Mayor of the City of Waxahachie, Texas, along with the entire City Council, do hereby proclaim May 2018 as

“NATIONAL PRESERVATION MONTH”

and call upon the people of Waxahachie and Texas to join their fellow citizens across the United States in recognizing and participating in this special observance.

Proclaimed this 7th day of May, 2018.

MAYOR

ATTEST:

CITY SECRETARY



**MAIN STREET
AMERICA**

2018 Accredited

THE NATIONAL MAIN STREET CENTER

and

TEXAS MAIN STREET

certify that

Waxahachie Main Street Program

has been recognized as a

2018 Main Street America Accredited Program

for meeting the standards of performance in 2017

Patrice Frey
President & CEO
National Main Street Center

Matthew Wager, Ph.d
Vice President of Revitalization Programs
National Main Street Center

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THE MAIN STREET PROGRAM IN



WAXAHACHIE

Is Recognized for performance in
2016-2017 and Recommended as a

**2018 Nationally
Accredited Main
Street Program**



TEXAS HISTORICAL COMMISSION
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A handwritten signature in black ink, likely belonging to the Division Director.

DIVISION DIRECTOR
COMMUNITY HERITAGE DEVELOPMENT DIVISION

A handwritten signature in black ink, likely belonging to the State Coordinator.

STATE COORDINATOR
TEXAS MAIN STREET PROGRAM

Recognized 12 years consecutively.



Memorandum

To: Honorable Mayor and City Council

From: Laurie Mosley

Thru: Michael Scott, City Manager

Date: May 2, 2018

Re: Texas Travel Industry Association Best of Texas Award - "Best City" and Recognition of National Tourism Week

I would like to place the following items on the agenda for the City Council meeting to be held on May 7, 2018:

- Present Council with Texas Travel Industry Association Best of Texas Award - "Best City" during the 2017 Texas Study Tour.
- Recognition of National Tourism Week - May 6-12.

Background: National Tourism Week celebrates the economic boost that tourism provides around the country and to our region. Over 25 million tourists visit the Dallas-Fort Worth area in any given year and they spend close to \$4.5 billion annually from Waxahachie to Denton to Plano to Fort Worth and other cities in DFW.

Thank you,

Laurie

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Planning & Zoning Department

Zoning Staff Report

Case: PD-18-0011



MEETING DATE(S)

Planning & Zoning Commission: April 24, 2018

City Council: May 7, 2018

CAPTION

Public Hearing on a request by David Hargrove, Legacy Grove Development, LLC, for an Amendment to Ordinance No. 2137 for the Garden Valley Planned Development District to increase Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0011).

CASE INFORMATION

Applicant: David Hargrove, Legacy Grove Development, LLC

Property Owner(s): Clyde Hargrove, Bethany/Garden Valley, LTD

Site Acreage: 99.614 acres

Current Zoning: Planned Development

Requested Zoning: Planned Development

SUBJECT PROPERTY

General Location: Garden Valley Meadows, Garden Valley Farms Phases 1 and 2 neighborhoods

Existing Use: Single family residential neighborhoods

Development History: The Preliminary Plat for Garden Valley Meadows, case no. PP-17-0077, was approved by City Council on July 24, 2017. The Final Plat for Garden Valley Farms, Phase 1, case no. FP-17-003, was approved by City Council on February 20, 2017. The Preliminary Plat for Garden Valley Farms, case no. PLM2015-34, which encompasses both Phase 1 and Phase 2, was approved by City Council on November 16, 2015; the Final Plat for Garden Valley Farms, Phase 2, was on tonight's Consent Agenda.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-1	Estates of Garden Valley neighborhood
East	ETJ	Currently undeveloped
South	PD-SF-3	Garden Valley West neighborhood
West	SF-1	Indian Hills Phase VII neighborhood

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

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

Thoroughfare Plan:

Garden Valley Parkway, a Secondary Thoroughfare D (80' ROW) forms the border between Garden Valley Meadows and Garden Valley Farms, Phase 1, as well as the northwestern border of the site in question. The northern and northeastern border of the site is bounded by residential lots that front onto Barley Drive, a local street (50' ROW). The southeastern border is formed by lots that front onto Stillwater Drive (50' ROW). The western border is formed by lots that front onto Pond Mills Road (50' ROW), while the eastern border is formed by lots that front onto Cotton Seed Circle (50' ROW).



Site Image:

PLANNING ANALYSIS

The applicant seeks to amend Ordinance No. 2137 to allow for a larger maximum lot coverage in the Garden Valley Meadows; Garden Valley Farms, Phase 1; and Garden Valley Farms, Phase 2 subdivisions.

PD DEVELOPMENT STANDARDS

The following table identifies the development standard requirements in the base zoning district in comparison to the proposed development standards for this PD.

Requirement	Base Zoning	Proposed
Maximum lot coverage	35%	50%

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 04/06/2018.

RECOMMENDATION

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

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:
 1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Ordinance No. 2137
2. Site image

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner I
kdent@waxahachie.com

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 24, 2018, the Commission voted 5-0 to recommend approval of zoning change PD-18-0011, subject to staff comments.

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ORDINANCE NO. 2137

AN ORDINANCE CHANGING THE ZONING ON 349.254 ACRES LOCATED ON THE NORTH SIDE OF BROADHEAD ROAD AND WEST SIDE OF BROWN STREET IN THE J.B. & ANN ADAMS SURVEY, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, FROM SINGLE FAMILY-1 (SF-1) AND FUTURE DEVELOPMENT TO PLANNED DEVELOPMENT-SINGLE FAMILY-1 (47.792 AC.); PLANNED DEVELOPMENT-SINGLE FAMILY-2 & PLANNED DEVELOPMENT-SINGLE FAMILY-3 (148.405AC.); PLANNED DEVELOPMENT-SINGLE FAMILY-2 (51.8887 AC. & 26.241 AC.), TWO FAMILY (25.268 AC.); MULTI-FAMILY-2 (40.558 AC.); GENERAL RETAIL (9.093 AC.), FOR THE DEVELOPMENT OF A PLANNED COMMUNITY, AND BEING FURTHER DESCRIBED ON EXHIBIT "A," AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, proper application for the change of zoning has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the rezoning thereto from Single family-1 (SF-1) and Future Development to Planned Development-Single Family-1 (47.792 ac.); Planned Development-Single Family-2 & Planned Development-Single Family-3 (148.405 ac. & 26.241 ac.); Planned Development-Single Family-2 (51.8887 ac.), Two Family (25.268 ac.); Multi-Family-2 (40.558 ac.); General Retail (9.093 ac.); and,

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

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said rezoning from Single family-1 (SF-1) and Future Development to Planned Development-Single Family-1 (47.792 ac.); Planned Development-Single Family-2 (50%) & Planned Development-Single Family-3 (50%) (148.405ac.); Planned Development-Single Family-2 (51.8887 ac.); Planned Development-Single Family-2 (50%) and Planned Development-Single Family-3 (50%) (26.241 ac.); Two Family (25.268 ac.); Multi-Family-2 (40.558 ac.); General Retail (9.093 ac.).

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

349.254 acres located on the North side of Broadhead Road and West side of Brown Street as shown on Exhibit "A" attached hereto, and as more fully described in the property description of separate tracts attached.

The property shown in Exhibit "A" and more fully described therein, attached hereto and made a part hereof, is rezoned to be Planned Development District in the use classification specified on each set of field notes, being the 47.792 acre tract as PD-SF-1, the 148.405 acre tract as PD-SF-2 (50%) and PD-SF-3 (50%), the 51.887 acre tract as PD-SF-2, the 26.241 acre tract as PD-2F, the 40.556 acre tract as MF-2, and the 9.093 acre tract as PD-GR, with the express provision that the districts zoned 50% PD-SF-2 and PD-SF-3 may not exceed 50% of the area or lots in PD-SF-3, with the remaining 50% or more in PD-SF-2, and subject to the following conditions and restrictions:

Planned Development District permitting uses as prescribed in the Use Schedule of the Zoning Ordinance of Waxahachie, Texas, for the district specified, subject to the approval of a site plan by the Planning and Zoning Commission and City Council prior to the issuance of any Building Permit

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or Certificate of Occupancy for any structure or use on the premises. Such site plan shall set forth the building areas, off-street parking, points of access, any screening walls, open areas, building setbacks, utility easements, curbs, sidewalks, drives and drainage facilities indicated as necessary to accommodate the use and function of the premises. The plat and development shall comply with "Garden Valley Minimum Requirements" attached.

The density, coverage, height, parking and off-street loading standards shall comply with the minimum standards specified for the district specified for all development.

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

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

PASSED, APPROVED AND ADOPTED on this 19th day of August, 2002.



Nancy Ross
City Secretary

Joe Jenkins
MAYOR

GARDEN VALLEY

MINIMUM REQUIREMENTS AND STANDARDS FOR A PLANNED DEVELOPED COMMUNITY

<u>Single Family Planned Unit Development</u>	<u>SF-1</u>	<u>SF-2</u>	<u>SF-3</u>
Minimum Lot Width	75'	65'	50'
Minimum Lot Depth	100'	100'	100'
Front Yard Setback	25'	25'	25'
Side (Street Side) Setback	20'	15'	15'
Side Yard Setback	7'	6'	6'
Rear Yard Setback	20'	20'	20'
Minimum Lot Square Footage	7,500	6,500	5,000
Minimum Dwelling (Living Area) Sq. Ft.	1,700**	1,450	1,200

Additional Requirements

Each Resident shall have 100% Masonry, Brick or Stone on front of home (Hardy Plank is Excluded)

Each Resident shall have matching brick or stone Mailbox

There shall be a minimum of two (2) three inch (3") Caliper Trees in front yard

There shall be a minimum of a 7/12 - Roof Pitch

All Garages shall be two (2) car attached garages, No Carports

All Garages of The Estates of Garden Valley and Garden Valley West shall be "J" type front swing entry or traditional side entry

Multi-Family and 2 Family Zoning Districts

All Multi-Family and 2 Family Districts shall be Gated Communities with appropriate entryways, screening, and landscaping

* NOTE

Garden Valley Farms, Garden Valley Meadows, and Garden Valley Ranch

PD: SF -- 2 (50%) and PD: SF -- 3 (50%) Zoning

- No more than 50% of lots in number shall be PD SF -- 3
- The balance of lots shall be PD SF -- 2 or greater

** All dwellings on the North and West boundary of SF-1 shall be 2,000 minimum square foot.

EXHIBIT A

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FIELD NOTES
EXISTING SF-1 ZONING
PROPOSED PD: SF-1 ZONING
47.792 Acres
J. B. And Ann Adams Survey, Abst. 5

BEING all that certain lot, tract or parcel of land lying in the J. B. and ANN ADAMS SURVEY ABSTRACT NO. 5 in the City of Waxahachie, Ellis County, Texas, a being a portion of called 354.210 acre tract of land conveyed by deed recorded in Volume 1434, Page 576 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at the northeast corner of this tract and same for said 354.210 acre tract at the southeast corner of Lot 29, Block 3 of SPRING CREEK FARM, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof as recorded in Cabinet A, Slide 725 of the Plat Records of Ellis County, Texas (PRECT) and the southwest corner of Lot 11, Block A of SPRING CREEK GROVE, PHASE I, an addition to Ellis County, Texas, according to the Plat thereof as recorded in Cabinet C, Slides 706 and 707, PRECT;

THENCE S 00°47'15" W, 33.18 feet along the east line of said 354.210 acre tract;

THENCE S 01°15'03" W, 487.46 feet along the east line of said 354.210 acre tract;

THENCE WEST, 3609.65 feet through said 354.210 acre tract to an inner ell corner in the west line of said 354.10 acre tract at the northeast corner of INDIAN HILLS ADDITION, UNIT VII, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof as recorded in Cabinet E, Slide 382, PRECT;

THENCE N 89°59'26" W, 519.38 feet along a southerly line of said 354.210 acre tract, and along the north line of said Addition;

THENCE S 69°19'58" W, 22.44 feet continuing along a southerly line of said 354.210 acre tract, and along the north line of said Addition to the east right-of-way line of Farm to Market Road 813 (an 80 foot right-of-way) for the most westerly corner of this tract and said 354.210 acre tract, said corner being the northwest corner of said Addition, and being the beginning of a counter-clockwise curve to the left, with a radius of 358.31 feet; (Central Angle of 24°04'52", Long Chord = N 21°58'54" E, 149.49 feet)

THENCE along the arc of said curve, and along a westerly line of this tract and said 354.210 acre tract, and along the east line of F.M. 813 an arc distance of 150.60 feet (Central Angle = 24°04'52", Long Chord = N 21°58'54" E, 149.49 feet) to a lower northwest corner of this tract and said 354.210 acre tract;

THENCE N 89°54'25" E, 232.18 feet along a north line of this tract and said 354.210 acre tract

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to an inset northwest corner of this tract and said 354.210 acre tract;

THENCE N 00°02'21" E, 368.00 feet along the most northerly west line of this tract and said 354.210 acre tract to an upper northwest corner of this tract and said 354.210 acre tract in the south line of Lot 1C of the TEJAS TRAILS Replat, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet B, Slide 405, PRECT;

THENCE N 87°53'34" E, 1213.24 feet along the north line of this tract and said 354.210 acre tract, and along the south line of said Lot 1C and Lot 1A to the southwest corner of Block 3 of said SPRING CREEK FARM;

THENCE continuing along the north line of this tract and said 354.210 acre tract, and along the south line of said Block 3 as follows:

S 88°46'03" E, 674.63 feet;

N 03°33'58" E, 15.75 feet;

S 89°18'01" E, 1985.01 feet along the south line of said SPRING CREEK FARM to the POINT OF BEGINNING and containing approximately 47.792 acres of land.

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FIELD NOTES

EXISTING SF-1 and FD ZONING

PROPOSED PD: SF-2 (50%) and SF-3 (50%) ZONING

148.405 Acres

J. B. And Ann Adams Survey, Abst. 5

BEING all that certain lot, tract or parcel of land lying in the J. B. and ANN ADAMS SURVEY ABSTRACT NO. 5 in the City of Waxahachie, Ellis County, Texas, a being a portion of called 354.210 acre tract of land conveyed by deed recorded in Volume 1434, Page 576 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at the southeast corner of this tract and same for said 354.210 acre tract in BROADHEAD ROAD;

THENCE S 59°58'08" W, 500.00 feet along said BROADHEAD ROAD and south line of said 354.210 acre tract;

THENCE into said 354.210 acre tract as follows:

N 30°00'00" W, 369.20 feet;

S 59°58'08" W, 452.96 feet;

S 87°54'35" W, 39.00 feet to a southwest corner of this tract;

NORTH, 1502.82 feet to the beginning of a counter-clockwise curve to the left with a radius of 1000.00 feet;

Along arc of said curve 261.80 feet (Central Angle = 15°00'00", Long Chord = N 07°30'00" W, 261.05 feet);

NORTH, 768.98 feet to the beginning of a clockwise curve to the right with a radius of 1000.00 feet;

Along arc of said curve 261.80 feet (Central Angle = 15°00'00", Long Chord = N 07°30'00" W, 261.05 feet);

NORTH, 939.94 feet to the beginning of a counter-clockwise curve to the left with a radius of 800.00 feet;

Along arc of said curve 1002.59 feet (Central Angle = 71°48'18", Long Chord = N 35°04'09" W, 938.25 feet) to the northwest corner of this tract;

EAST, 2831.34 feet to the east line of said 354.210 acre tract;

THENCE along the east line of said 354.210 acre tract as follows:

S 01°15'03" W, 1163.21 feet;

N 88°48'32" W, 925.46 feet;

S 00°16'00" W, 3160.91 feet to the POINT OF BEGINNING and contain approximately 148.405 acres of land.

EXISTING SF-1 and FD ZONING
PROPOSED PD: SF-2 ZONING
51.887 Acres
J. B. And Ann Adams Survey, Abst. 5

(13)

BEING all that certain lot, tract or parcel of land lying in the J. B. and ANN ADAMS SURVEY ABSTRACT NO. 5 in the City of Waxahachie, Ellis County, Texas, a being a portion of called 354.210 acre tract of land conveyed by deed recorded in Volume 1434, Page 576 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at the northwest corner of this tract and being an inner ell corner of said 354.210 acre tract at the northeast corner of INDIAN HILLS ADDITION, UNIT VII, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof as recorded in Cabinet E, Slide 382 of the Plat Records of Ellis County, Texas (PRECT);

THENCE into said 354.210 acre tract as follows:

EAST, 778.31 feet to the beginning of a clockwise curve to the right with a radius of 800.00 feet;

Along the arc of said curve 1002.59 feet (Central Angle = $71^{\circ}48'18''$, Long Chord = S $35^{\circ}04'09''$ E, 938.25 feet);

SOUTH, 384.42 feet;

WEST, 560.00 feet;

SOUTH, 760.90 feet;

S $15^{\circ}00'00''$ E, 235.38 feet;

S $75^{\circ}00'00''$ W, 461.08 feet to the beginning of a clockwise curve to the right with a radius of 800.00 feet;

Along arc of said curve 209.44 feet (Central Angle = $15^{\circ}00'00''$, Long Chord = S $82^{\circ}30'00''$ W, 208.84 feet);

WEST, 180.94 feet to the west line of said 354.210 acre tract;

THENCE N $00^{\circ}05'56''$ E, 2279.06 feet to the POINT OF BEGINNING and containing approximately 51.887 acres of land.

EXISTING SF-1 and FD ZONING
PROPOSED PD: SF-2 (50%) and SF-3 (50%) ZONING (13)
26.241 Acres
J. B. And Ann Adams Survey, Abst. 5

BEING all that certain lot, tract or parcel of land lying in the J. B. and ANN ADAMS SURVEY ABSTRACT NO. 5 in the City of Waxahachie, Ellis County, Texas, a being a portion of called 354.210 acre tract of land conveyed by deed recorded in Volume 1434, Page 576 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a northwest corner of this tract at an ell corner in the west line of said 354.210 acre tract, said ell corner bears S 00°05'56" W, 2446.06 feet, N 89°55'32" W, 531.90 feet from the northeast corner of INDIAN HILLS ADDITION, UNIT VII, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof as recorded in Cabinet E, Slide 382 of the Plat Records of Ellis County, Texas (PRECT);

THENCE S 89°55'32" E, 531.90 feet along a lower north line of said 354.210 acre tract;

THENCE N 00°05'56" E, 167.00 feet along the west line of said 354.210 acre tract;

THENCE into said 354.210 acre tract as follows:

EAST, 180.94 feet to the beginning of a counter-clockwise curve to left with a radius of 800.00 feet;

Along the arc of said curve 209.44 feet (Central Angle = 15°00'00", Long Chord = N 82°30'00" E, 208.84 feet);

N 75°00'00" E, 461.08 feet to the northeast corner of this tract;

S 15°00'00" E, 796.91 feet;

SOUTH, 172.29 feet to the southeast corner of this tract;

WEST, 1539.96 feet to the southwest corner of this tract in the west line of said 354.210 acre tract;

THENCE N 02°53'53" W, 374.97 feet to the POINT OF BEGINNING and containing approximately 26.241 acres of land.

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PROPOSED 2F ZONING

25.268 Acres

J. B. And Ann Adams Survey, Abst. 5

BEING all that certain lot, tract or parcel of land lying in the J. B. and ANN ADAMS SURVEY ABSTRACT NO. 5 in the City of Waxahachie, Ellis County, Texas, a being a portion of called 354.210 acre tract of land conveyed by deed recorded in Volume 1434, Page 576 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at the northeast corner of this tract in the interior of said 354.210 acre tract, said beginning point bears S 54°00'28" W, 2833.08 feet from the northeast corner of said 354.10 acre tract and the southeast corner of SPRING CREEK FARM, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof as recorded in Cabinet A, Slide 725 of the Plat Records of Ellis County, Texas (PRECT);

THENCE through said 354.210 acre tract as follows:

SOUTH, 555.52 feet to the beginning of a counter-clockwise curve to the left with a radius of 1000.00 feet;

Along the arc of said curve 261.80 feet (Central Angle = 15°00'00", Long Chord = S 07°30'00" E, 261.05 feet);

S 15°00'00" E, 768.98 feet to the beginning of a clockwise curve to the right with a radius of 1000.00 feet;

Along the arc of said curve 261.80 feet (Central Angle = 15°00'00", Long Chord = S 07°30'00" E, 261.05 feet);

SOUTH, 114.37 feet to the southeast corner of this tract;

WEST, 560.00 feet to the southwest corner of this tract;

NORTH, 172.29 feet;

N 15°00'00" W, 796.91 feet;

NORTH, 760.90 feet to the northwest corner of this tract;

EAST, 560.00 feet to the POINT OF BEGINNING and containing approximately 25.268 acres of land.

FIELD NOTES
EXISTING FD ZONING
PROPOSED MF-2 ZONING
40.556 Acres
J. B. And Ann Adams Survey, Abst. 5

BEING all that certain lot, tract or parcel of land lying in the J. B. and ANN ADAMS SURVEY ABSTRACT NO. 5 in the City of Waxahachie, Ellis County, Texas, a being a portion of called 354.210 acre tract of land conveyed by deed recorded in Volume 1434, Page 576 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a lower southwest corner of this tract in the west line of said 354.210 acre tract, said corner bears N 03°13'28" W, 612.58 feet from the southwest corner of said 354.210 acre tract;

THENCE along the west line of said 354.210 acre tract as follows:

N 03°13'28" W, 1095.58 feet;

S 88°06'57" W, 1325.08 feet;

N 02°53'53" W, 551.32 feet to the northwest corner of this tract;

THENCE through said 354.210 acre tract as follows:

EAST, 2099.96 feet to the northeast corner of this tract;

SOUTH, 1388.46 feet to the southeast corner of this tract;

S 87°54'35" W, 340.08 feet;

S 59°59'02" W, 399.86 feet to the POINT OF BEGINNING and containing approximately 40.556 acres of land.

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FIELD NOTES
EXISTING FD ZONING
PROPOSED GENERAL RETAIL (GR) ZONING
9.093 Acres
J. B. And Ann Adams Survey, Abst. 5

BEING all that certain lot, tract or parcel of land lying in the J. B. and ANN ADAMS SURVEY ABSTRACT NO. 5 in the City of Waxahachie, Ellis County, Texas, a being a portion of called 354.210 acre tract of land conveyed by deed recorded in Volume 1434, Page 576 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at the southwest corner of this tract in BROADHEAD ROAD in the south line of said 354.210 acre tract, said corner bears N 59°59'02" E, 400.00 feet from the southwest corner of said 354.210 acre tract;

THENCE through said 354.210 acre tract as follows:

N 03°14'10" W, 612.52 feet to the northwest corner of this tract;

N 87°54'35" E, 379.08 feet;

N 59°58'08" E, 452.96 feet to the northeast corner of this tract;

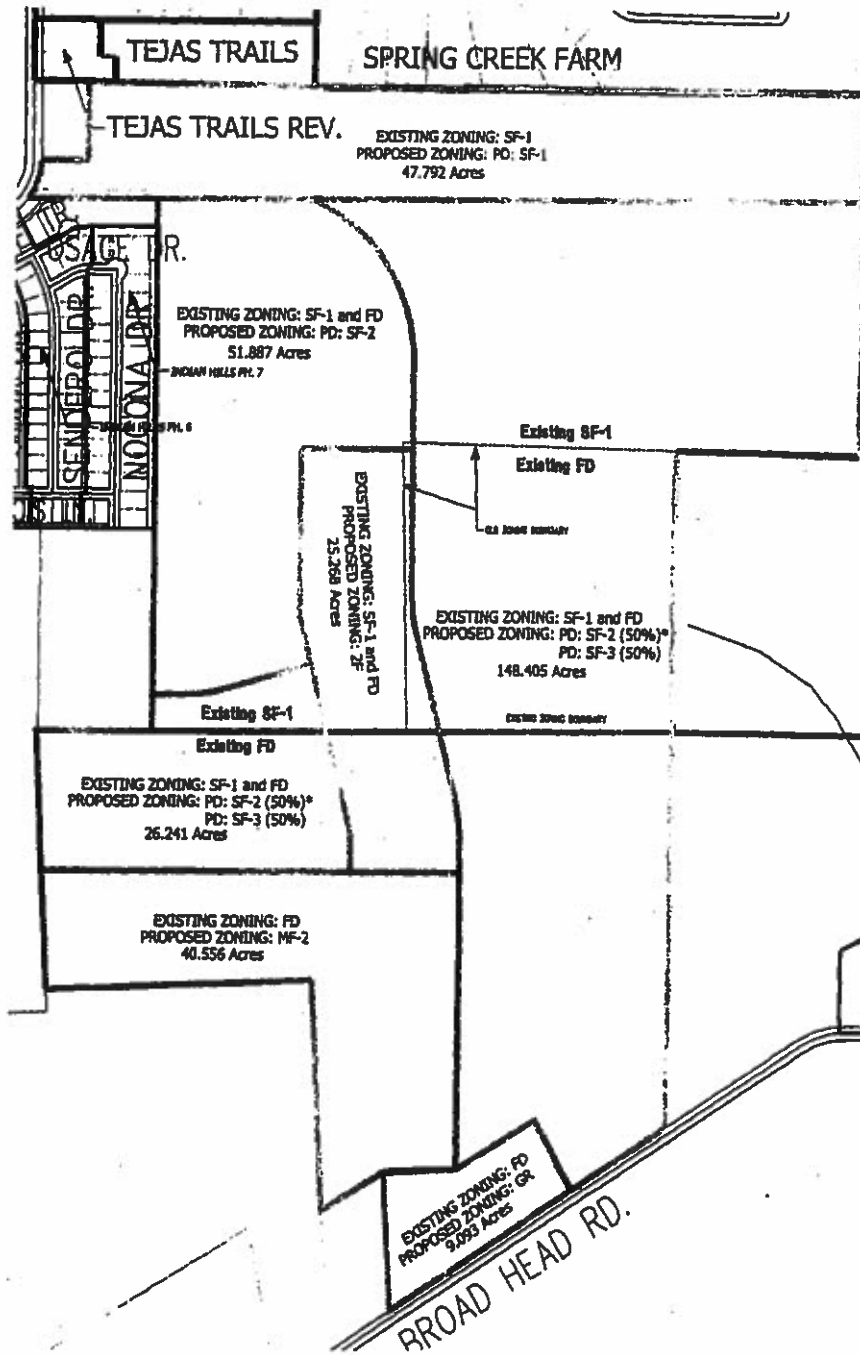
S 30°00'00" E, 369.20 feet to the southeast corner of this tract in said BROADHEAD ROAD in the south line of said 354.210 acre tract;

THENCE along said BROADHEAD ROAD and the south line of said 354.210 acre tract as follows:

S 59°58'08" W, 790.33 feet;

S 59°59'02" W, 273.45 feet to the POINT OF BEGINNING and containing approximately 9.093 acres of land.

(13)



(13)

DAVIS & McDILL

ENGINEERS
D&M
SURVEYORS



01/11/2001
1" = 300'
1" = 60' / PD
1" = 200' / PD



LOCATION MAP SCALE: 1" = 2000'

REVISIONS

DATE

BY

DESCRIPTION

1. 01/11/2001

2. 01/11/2001

3. 01/11/2001

4. 01/11/2001

5. 01/11/2001

6. 01/11/2001

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56. 01/11/2001

57. 01/11/2001

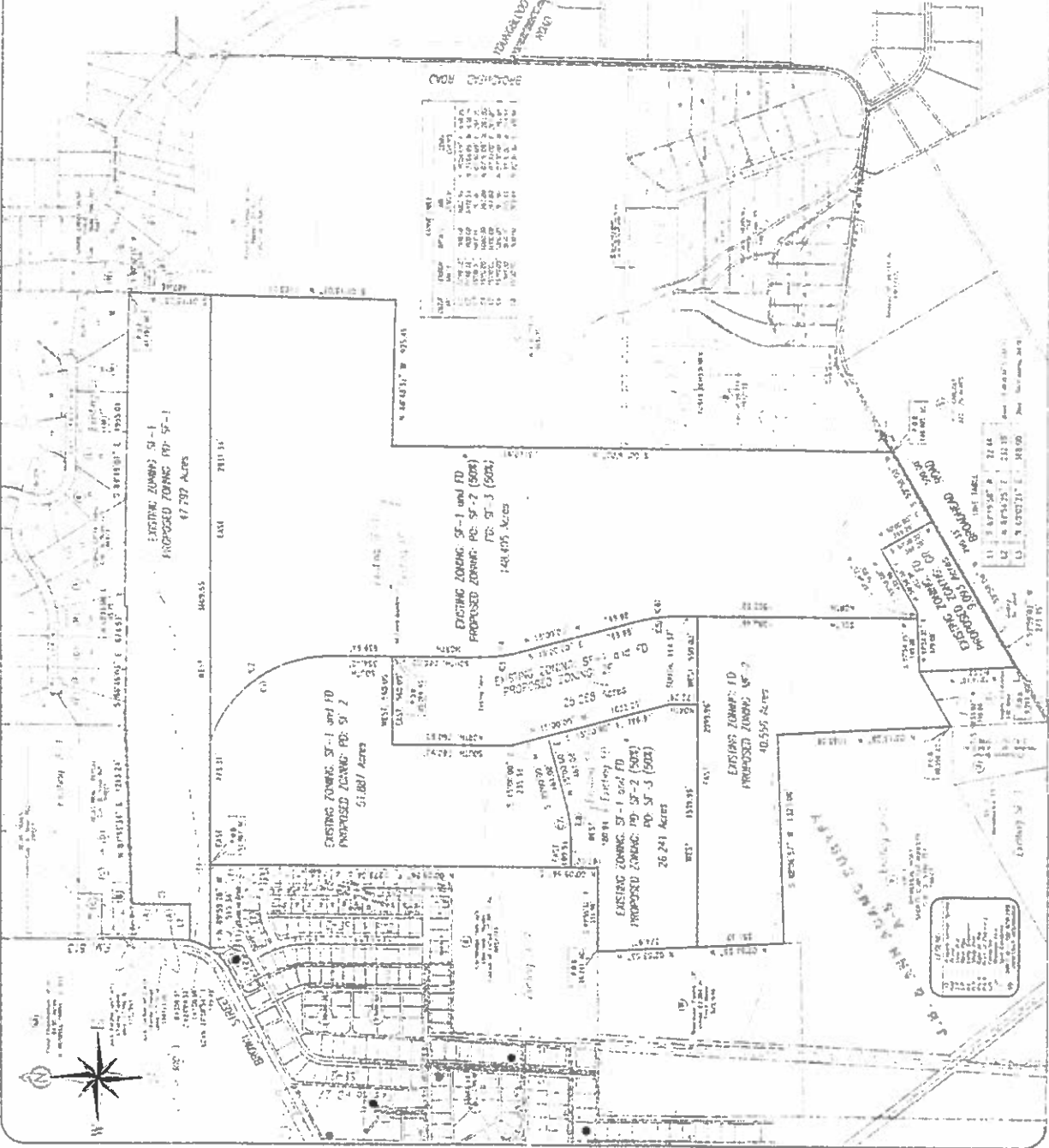
58. 01/11/2001

59. 01/11/2001

60. 01/11/2001

SEE ATTACHED FIELD NOTES

ZONING PLAT
349.254 Acres
PROPOSED
GARDEN VALLEY DEVELOPMENT
J. B. & Ann Adams Survey, Abct. 5
City of Waxahatchie
Ellis County, Texas



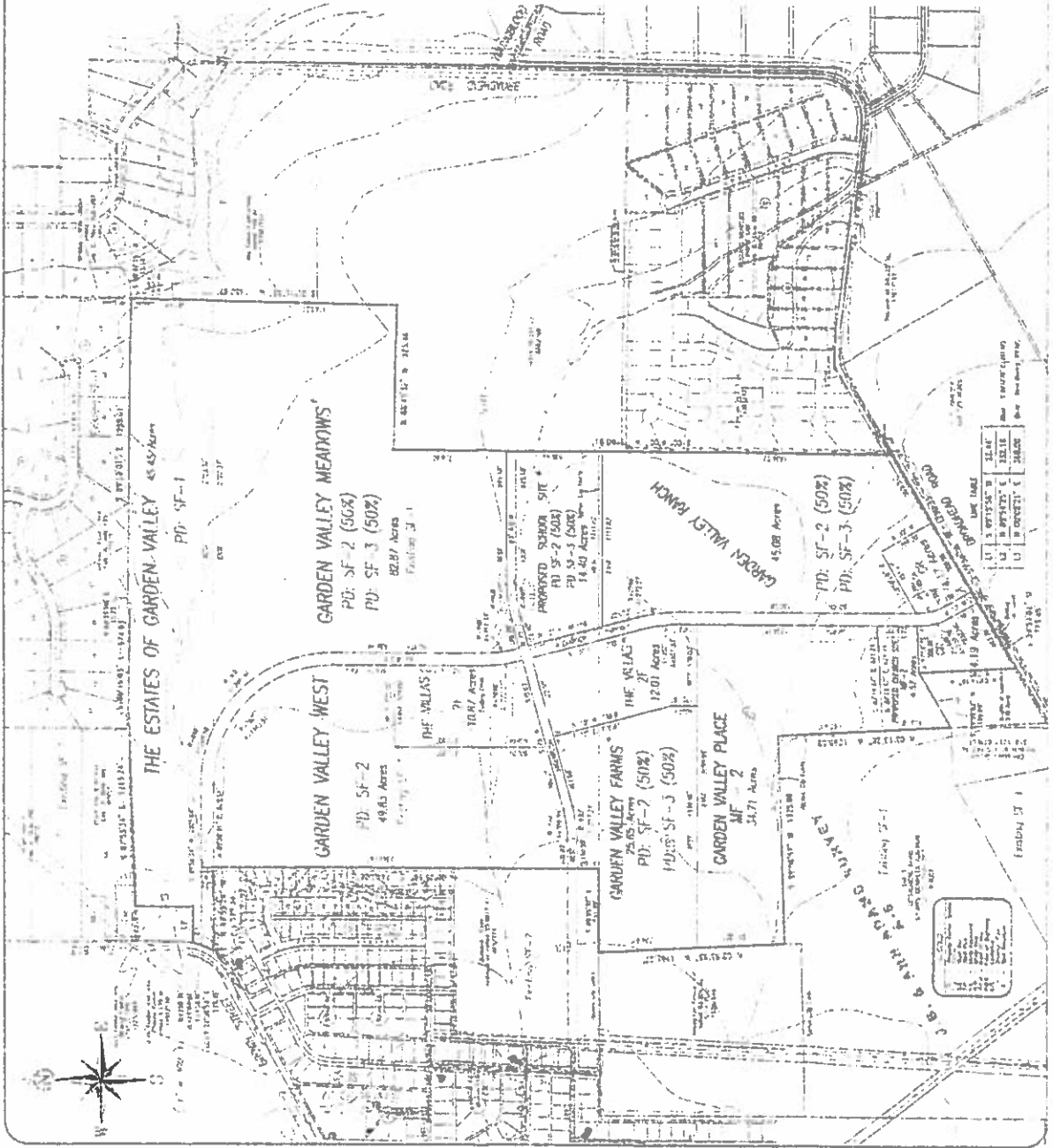
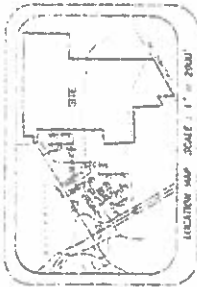
MINIMUM REQUIREMENTS AND STANDARDS
FOR A PLACED UNPLACED COMMUNITY

Year	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
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	

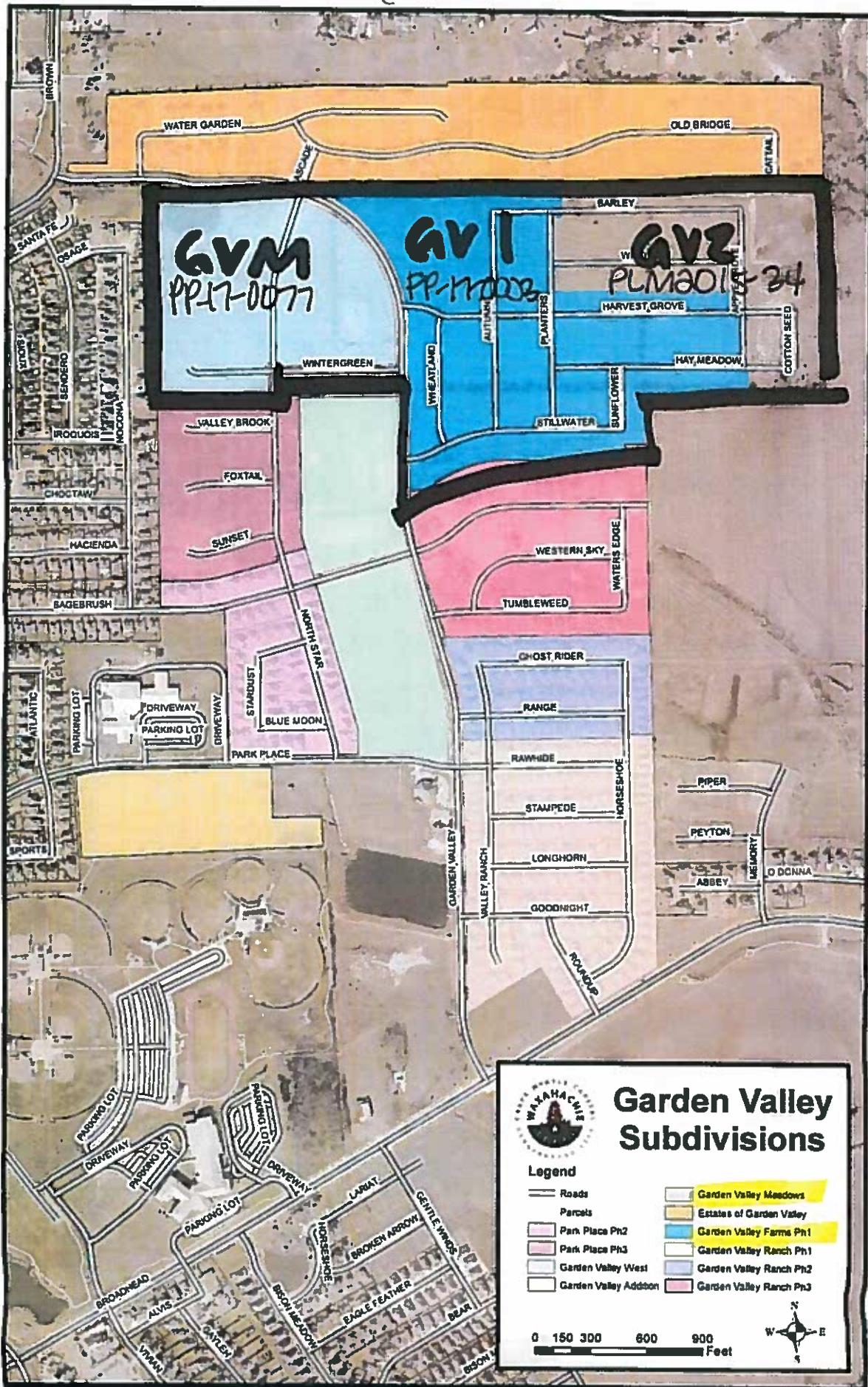
[illegible][illegible]

CONCEPT PLAN
349.254 Acres

**PROPOSED
GARDEN VALLEY DEVELOPMENT**
J. H. & Ann Adams Survey, Abct. 5
City of Waxahachie
Ellis County, Texas



(13)



(114)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), LOCATED IN THE GARDEN VALLEY MEADOWS, GARDEN VALLEY FARMS PHASE 1 AND GARDEN VALLEY FARMS PHASE 2 SUBDIVISIONS IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 99.614 ACRES KNOWN AS THE GARDEN VALLEY MEADOWS, GARDEN VALLEY FARMS PHASE 1 AND GARDEN VALLEY FARMS PHASE 2 SUBDIVISIONS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a PD has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-18-0011. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from PD to PD; and

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

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

NOW, THEREFORE, this property is rezoned from PD to PD in order to amend Ordinance No. 2137 to increase the maximum lot coverage from thirty-five (35) percent to fifty (50) percent in the Garden Valley Meadows, Garden Valley Farms Phase 1 and Garden Valley Farms Phase 2 subdivisions, which is shown on Exhibit A.

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 _____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0033



MEETING DATE(S)

Planning & Zoning Commission: April 24, 2018

City Council: May 7, 2018

CAPTION

Public Hearing on a request by Kenny Garcia, Elevation Solar LLC, for a Specific Use Permit (SUP) to allow a **Rooftop solar panel system** use within a Single Family-1 (SF1) zoning district, located at 2204 Howard Road, being 272 S M DURRETT 2.677 ACRES (Property ID 181954) - Owner: SKINNER GERALD D REVOCABLE LIVING TRUST (SU-18-0033).

CASE INFORMATION

Applicant: Kenny Garcia, Elevation Solar, LLC

Property Owner(s): Gerald D Skinner Revocable Living Trust

Site Acreage: 2.677 acres

Current Zoning: Single Family-1 (SF1)

Requested Zoning: Single Family-1 with Specific Use Permit

SUBJECT PROPERTY

General Location: 2204 Howard Road

Parcel ID Number(s): 181954

Existing Use: Single family residence

Development History: The site is currently unplatted.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Single family
East	PD-35-C	Restaurant
South	SF-1	Office
West	PD-35-C	Gas Station

Future Land Use Plan: Mixed Use Non-Residential

Comprehensive Plan:

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

Thoroughfare Plan:

The site is located along Howard Road, a Secondary Thoroughfare C (90' ROW).



Site Image:

PLANNING ANALYSIS

The applicant seeks to install solar panels at this single family residence. These panels are permitted with a Specific Use Permit.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 04/06/2018.

STAFF CONCERNS

1. Demonstrate that the panels do not face onto Howard Road by showing the roof line.
2. Before the building permit is issued, the land will need to be platted.

APPLICANT RESPONSE TO CONCERNS

1. Applicant is working to obtain drawings with the roofline.
2. Property owner has met with the Planning Department to learn about the platting process.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Demonstrate that the panels do not face onto Howard Road by showing the roof line.

ATTACHED EXHIBITS

1. Cover page
2. Site plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

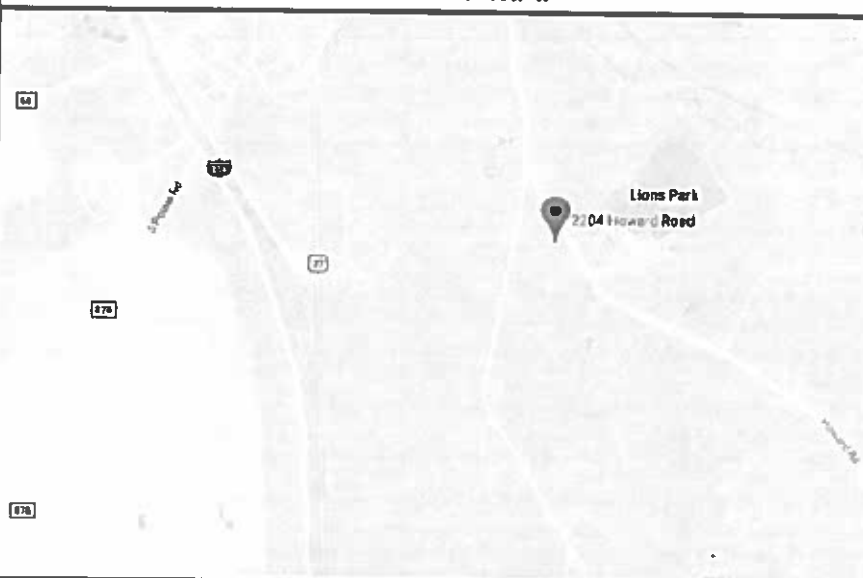
Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 24, 2018, the Commission voted 5-0 to recommend approval of zoning change SU -18-0033, subject to staff comments.

VICINITY MAP



ABBREVIATIONS

A	AMPERE
AC	ALTERNATING CURRENT
AHJ	AUTHORITY HAVING JURISDICTION
BLDG	BUILDING
CB	COMBINER BOX
CP	COMBINER PANEL
DC	DIRECT CURRENT
EGC	EQUIPMENT GROUNDING CONDUCTOR
EMT	ELECTRICAL METALLIC TUBING
EQ	EQUAL
FSS	FIRE SETBACK
GALV	GALVANIZED
GEC	GROUNDING ELECTRODE CONDUCTOR
GND	GROUND
I	CURRENT
IBC	INTERNATIONAL BUILDING CODE
IFC	INTERNATIONAL FIRE CODE
Imp	CURRENT AT MAX POWER
INV(S)	INVERTER(S)
Isc	SHORT-CIRCUIT CURRENT
kVA	KILOVOLT AMPERE
kW	KILOWATT
LBW	LOAD BEARING WALL
LC	LOAD CENTER
MAX	MAXIMUM
MIN	MINIMUM
MP	MOUNTING PLANE
NEC	NATIONAL ELECTRIC CODE
NTS	NOT TO SCALE
OC	ON CENTER
Pnom	NOMINAL POWER
POI	POINT OF INTERCONNECTION
PV	PHOTOVOLTAIC
PVC	POLYVINYL CHLORIDE
RBC	RESIDENTIAL BUILDING CODE
SFD	SINGLE FAMILY DWELLING
STC	STANDARD TESTING CONDITIONS
SUB	SUB PANEL
SWH	SOLAR WATER HEATER
TCF	TEMPERATURE CORRECTION FACTOR
TYP	TYPICAL
UON	UNLESS OTHERWISE NOTED
V	VOLT
Vmp	VOLTAGE AT MAX POWER
Voc	OPEN-CIRCUIT VOLTAGE
W	WATT

LEGEND

	INVERTER (INTEGRATED DC DISCO)
	UTILITY METER & SERVICE ENTRANCE
	MAIN SERVICE PANEL
	UTILITY METER
	PV SYSTEM METER
	DC DISCONNECT
	AC DISCONNECT (UNFUSED)
	AC FUSED DISCONNECT
	LOAD CENTER
	FENCE/BLOCK WALL
	PROPERTY LINE
	TRENCH
	CONDUIT

GENERAL NOTES

- EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE 2011 NEC, 2012 IRC, 2012 IFC AND ALL OTHER APPLICABLE REQUIREMENTS OF THE CITY OF WAXAHACHIE
- PHOTOVOLTAIC ARRAYS SHALL BE PROVIDED WITH DC GROUND-FAULT PROTECTION. NEC 690.5
- DC GROUNDING ELECTRODE CONDUCTOR SHALL BE SIZED ACCORDING TO NEC 250.166. NEC 690.47 B
- DC GROUNDING ELECTRODE SHALL BE BONDED TO THE AC GROUNDING ELECTRODE AND THE CONDUCTOR SHALL BE NO SMALLER THAN THE LARGEST GROUNDING ELECTRODE CONDUCTOR, EITHER AC OR DC. NEC 690.47 C 7
- THE AC GROUNDING ELECTRODE CONDUCTOR SHALL BE SIZED ACCORDING TO NEC 250.96 AND TABLE 310.15 B 6 FOR DWELLINGS. NEC 690.47 C 2
- GROUNDING BUSHINGS ARE REQUIRED AROUND PRE-PUNCHED CONCENTRIC KNOCKOUTS ON THE DC SIDE OF THE SYSTEM. NEC 250.97
- GROUNDING SHALL BE CONTINUOUS AND INSTALLED TO ALLOW FOR PANEL REMOVAL WITHOUT DISRUPTING CONTINUITY. ALL MODULE GROUND CONNECTIONS SHALL BE MADE IN ACCORDANCE WITH NEC 690.4 (C)
- WORKING CLEARANCES AROUND THE EXISTING ELECTRICAL EQUIPMENT AS WELL AS THE NEW ELECTRICAL EQUIPMENT WILL BE MAINTAINED IN ACCORDANCE WITH NEC 110.26
- ALL PHOTOVOLTAIC SYSTEM CONDUCTORS WILL BE 90 DEGREE C RATED. NEC 690.31B, TABLE 310.16, TABLE 310.17
- WHERE DC CONDUCTORS ARE RUN INSIDE THE BUILDING (OR ATTIC), THEY SHALL BE CONTAINED IN A METAL RACEWAY. NEC 690.31 E)
- ALL EXTERIOR CONDUIT, FITTINGS, AND BOXES SHALL BE RAIN-TIGHT AND APPROVED FOR USE IN WET LOCATIONS. NEC 314.15
- ANY CONDUCTORS EXPOSED TO SUNLIGHT SHALL BE LISTED AS SUNLIGHT RESISTANT. NEC 300.6 C1, 310.8 D
- ALL METALLIC RACEWAYS AND EQUIPMENT SHALL BE BONDED AND ELECTRICALLY CONTINUOUS. NEC 250.90, 250.96
- ALL EQUIPMENT SHALL BE LISTED AND LABELED BY A RECOGNIZED ELECTRICAL TESTING LABORATORY AND INSTALLED PER THE LISTING REQUIREMENTS AND THE MANUFACTURERS INSTRUCTIONS. NEC 690.9(A)

FOR MORE INFO SEE NOTES AND REFERENCES PAGE

SCOPE OF WORK

INSTALL (16) HANNAH Q. PEAK G4.1 305W MODULE
 INSTALL (16) ENPHASE IQ6-60-2-US
 INSTALL J-BOX, RACEWAYS, AND WIRING
 INSTALL 30A AC DISCONNECT
 INSTALL 20A 2 POLE PV BREAKER
 TOTAL SYSTEM SIZE 4.88 kW (DC)

PAGE INDEX

PV 1	COVER SHEET
PV 2	SITE PLAN
PV 3	PV LAYOUT
PV 4	DETAILS & UPLIFT CALCULATIONS
PV 5	ONE-LINE DIAGRAM
PV 5.1	THREE LINE DIAGRAM
PV 6	LABELS
PV 7	NOTES & REFERENCES
CS	CUT SHEETS

COVER PAGE

SKINNER RESIDENCE
 2204 HOWARD RD
 WAXAHACHIE, TEXAS 75166

2212 E Williams Field Rd
 Suite 200
 Dallas, TX 75226
 (972) 521-1201

(16) HANNAH Q. PEAK G4.1 305W

(16) ENPHASE IQ6-60-2-US

4.88 kW

3.68 kW

AS

NTS

1/28/2016

Skinner

PV 1

(15)



HOWARD RD

FRONT OF HOUSE

DRIVEWAY

VISIBLE LOCKABLE LABELED DISCONNECT

MICRO INVERTERS

AC DISCONNECT LOCATED ON ACCESSIBLE EXTERIOR WALL
WITHIN 10 FEET OF ONCOR METER



LEGEND	ALL-IN-ONE UTIL METER & MAIN SERVICE PANEL	(E) UTILITY METER	(N) FUSED UTILITY DISCONNECT	(N) INVERTER (W/ DC DISCONNECT)	(N) LOAD CENTER (COMBINER PANEL)	FENCE/BLOCK WALL PROPERTY LINE CONDUIT TRENCH
	MAIN SERVICE PANEL (MSP)	(N) PV SYSTEM PRODUCTION METER	(N) UNFUSED UTILITY DISCONNECT	(N) DC DISCONNECT	(E) SUB PANEL	

ELEVATION	
2212 E Williams Field Rd	SHR 2500
GRANT A. J. 03295	0001 024 0391

(16) HANWHA Q-PEAK G4.1 300W	1000
(16) ENPHASE IQ8-60-2-US	1000
4.00 kW	1000
3.00 kW	1000

SITE PLAN
SKINNER RESIDENCE
2204 HOWARD RD
WAXAHACHIE, TEXAS 75160

AB
1/16" = 1'-0"
1/28/2018
Shirner
PV 2

(116)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 2204 HOWARD ROAD, BEING PROPERTY ID 181954, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING ABSTRACT NO. 272 IN THE S M DURRETT SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

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

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number SU-18-0033. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from SF-1 to SF-1, with an SUP in order to permit a Rooftop Solar Panel System use on the following property: 2204 Howard Road, in Abstract No. 272 in the S M Durrett Survey, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

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 _____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

(17)

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0029



MEETING DATE(S)

Planning & Zoning Commission: April 24, 2018

City Council: May 7, 2018

CAPTION

Public Hearing on a request by Justin Hargrove for a Specific Use Permit (SUP) to allow a **Dance hall, tavern, or night club** use within a Central Area (CA) zoning district, located at 208 W Franklin, being LOT 9B BLK 8 O T WAXAHACHIE .06 AC (Property ID 170463) - Owner: SOUTHFORK CAPITAL LLC (SU-18-0029)

CASE INFORMATION

Applicant: Justin Hargrove

Property Owner(s): Southfork Capital, LLC

Site Acreage: .06 acres

Current Zoning: Central Area

Requested Zoning: Central Area with Specific Use Permit

SUBJECT PROPERTY

General Location: 208 W Franklin Street

Parcel ID Number(s): 170463

Existing Use: Unoccupied building

Development History: The site is part of the Original Town-Waxahachie subdivision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA	NAPA Auto Parts
East	CA	Fish Grill
South	CA	Webb Gallery
West	CA	Law office

Future Land Use Plan: Retail

Comprehensive Plan:

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

Thoroughfare Plan:

The site is located along West Franklin Street, a local street (60' ROW).



Site Image:

PLANNING ANALYSIS

The applicant seeks to open what the City defines as a tavern at the site, and receipts will show that over forty-nine (49) percent of the gross revenue is derived from alcohol sales. This requires the applicant to obtain a Specific Use Permit.

The site is located in the City's Central Area, where the City recognizes the need to attract more businesses that increase foot-traffic, especially after hours. As such, the location of a tavern in the CA fits with the City's vision for the CA and with requests from residents.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 04/06/2018.

STAFF CONCERNS

1. None.

RECOMMENDATION

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

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:
 1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Site plan

APPLICANT REQUIREMENTS

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

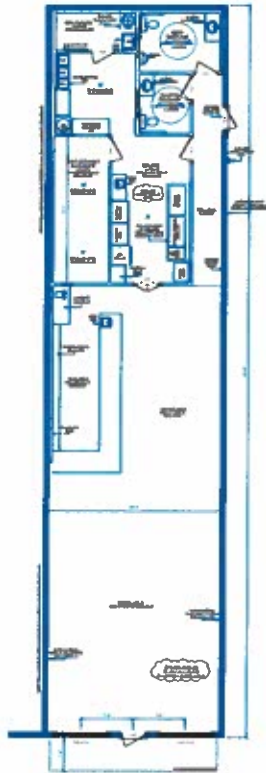
STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 24, 2018, the Commission voted 4-1 to recommend approval of zoning change SU-18-0032, with the SUP restricted to a tavern use by Justin Hargrove, at 208 W Franklin Street, under the DBA name of The Plaid Turtle Drafthouse.



AREA DETAILS
AC AREA 2,421 SQ. FT.
TOTAL 1,308 SQ. FT. 2.421

FLOOR PLAN
1/4" = 1' - 0"

ORIGINAL STREET VIEW
LOOKING EAST 1939



EXISTING STREET VIEW





PROPOSED ELEVATION




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


(117)

LANDSCAPE ARCHITECT
COMPANY & ASSOCIATES
12345 MAIN STREET
DALLAS, TEXAS 75201




DECEMBER 30th, 2017
208 WEST FRANKLIN STREET
LOT 9B BLK 8
ORIGINAL TOWN OF
WAXAHACHIE, TEXAS 75165



CHARTERED ARTICLE
AIBD CERTIFICATION # 628
http://www.aibd-usa.org

THE PLAIT TURTLE
DRAFT HOUSE
75 NORTH WACO STREET
HILLSBORO, TEXAS 76645
754-283-5112



(118)
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A TAVERN USE WITHIN A CENTRAL AREA (CA) ZONING DISTRICT, LOCATED AT 208 W FRANKLIN, BEING PROPERTY ID 170463, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 9B, BLOCK 8 IN THE ORIGINAL TOWN WAXAHACHIE 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 CA; 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 SU-18-0029. 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 CA to CA, with an SUP in order to permit a Tavern use on the following property: Lot 9B, Block 8 of the RVG Plaza subdivision, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

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 _____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

(19)

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0031



MEETING DATE(S)

Planning & Zoning Commission: April 24, 2018

City Council: May 7, 2018

CAPTION

Public Hearing on a request by Charles Browning, Waddle Holdings, for a Zoning Change from a Light Industrial-2 (LI2) zoning district to Central Area (CA), located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (ZC-18-0031).

CASE INFORMATION

Applicant: Charles Browning, Waddle Holdings

Property Owner(s): Waddle Holdings, LLC

Site Acreage: .161 acres

Current Zoning: Light Industrial-2

Requested Zoning: Central Area

SUBJECT PROPERTY

General Location: 200 E Jefferson Street

Parcel ID Number(s): 170483

Existing Use: Multi-tenant building

Development History: The site is part of the Original Town-Waxahachie subdivision

Case No.	Direction from Site	Request	Result
SU-18-0032	Site	CA w SUP	?

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA	Parking Garage
East	LI-2	Ellis County Elections Building
South	LI-2	Commercial building
West	PD-CA	Wayne McCollum Detention Center

Future Land Use Plan:

Retail

Comprehensive Plan:

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

Thoroughfare Plan:

The site is located at the southeastern intersection of South Jackson Street and East Jefferson Street. South Jackson is a local street (60' ROW) while East Jefferson is a proposed Major Thoroughfare B (110' ROW) but actual ROW is 60' with 45' paved.

**Site Image:****PLANNING ANALYSIS**

The property seeks to rezone from Light Industrial-2 to Central Area to permit a Bail Bonds Agency to occupy third suite. Bail Bonds Agencies are permitted in the CA zoning district with an SUP, but are prohibited in LI-2.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 21 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 04/06/2018.

RECOMMENDATION

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

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:
 1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Site plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner I
kdent@waxahachie.com

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

(19)



(20)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM LIGHT INDUSTRIAL-2 (LI-2) TO CENTRAL AREA (CA) LOCATED AT 200 E JEFFERSON STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.161 ACRES KNOWN AS LOT 4A, BLOCK 24 OF THE ORIGINAL TOWN SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZC-18-0031. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from LI-2 to CA; and

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

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

NOW, THEREFORE, this property is rezoned from LI-2 to CA on the following property: Lot 4A, Block 24 of the Original Town subdivision, which is shown on Exhibit A.

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 _____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

(21)

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0032



MEETING DATE(S)

Planning & Zoning Commission: April 24, 2018

City Council: May 7, 2018

CAPTION

Public Hearing on a request by Charles Browning, Waddle Holdings, for a Specific Use Permit (SUP) to allow a **Bail bond agency** use within a Central Area (CA) zoning district, located at 200 E Jefferson, being LOT 4A BLK 24 O T WAXAHACHIE .161 AC (Property ID 170483) - Owner: WADDLE HOLDINGS LLC (SU-18-0032)

CASE INFORMATION

Applicant: Charles Browning, Waddle Holdings

Property Owner(s): Waddle Holdings, LLC

Site Acreage: .161 acres

Current Zoning: Light Industrial-2

Requested Zoning: Central Area with Specific Use Permit
(See companion case ZC-18-0031)

SUBJECT PROPERTY

General Location: 200 E Jefferson Street

Parcel ID Number(s): 170483

Existing Use: Multi-tenant building

Development History: The site is part of the Original Town-Waxahachie subdivision

Case No.	Direction from Site	Request	Result
ZC-18-0031	Site	CA	?

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA	Parking Garage
East	LI-2	Ellis County Elections Building
South	LI-2	Commercial building
West	PD-CA	Wayne McCollum Detention Center

Future Land Use Plan:

Retail

Comprehensive Plan:

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

Thoroughfare Plan:

The site is located at the southeastern intersection of South Jackson Street and East Jefferson Street. South Jackson is a local street (60' ROW) while East Jefferson is a proposed Major Thoroughfare B (110' ROW) but actual ROW is 60' with 45' paved.

**Site Image:****PLANNING ANALYSIS**

The property in question consists of three suites, each with internal separation. A bail bond agency is an allowable use in the Central Area, with a Specific Use Permit.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 21 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 04/06/2018.

RECOMMENDATION

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

(81)

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:
 1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Site plan

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for a Certificate of Occupancy from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

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

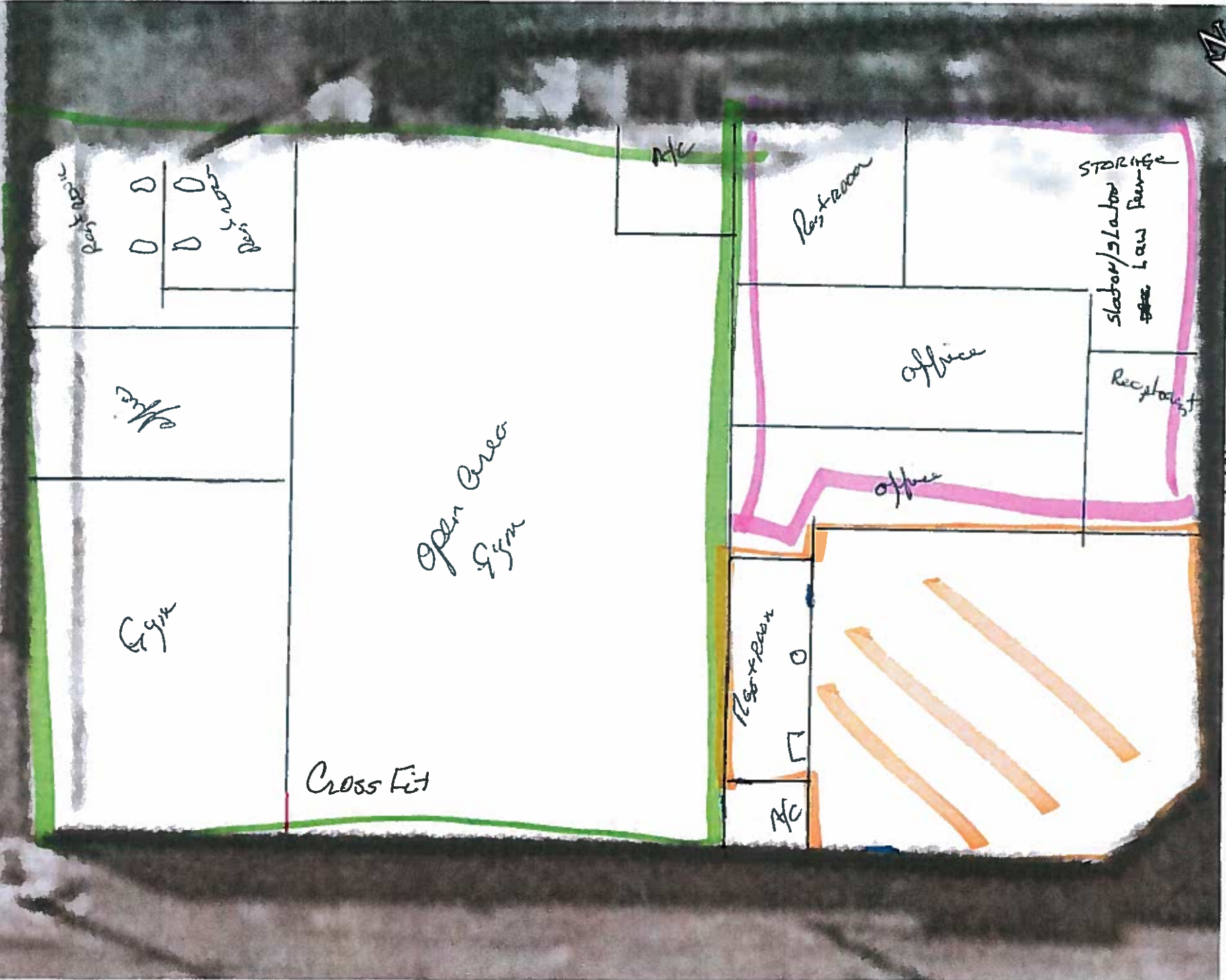
ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 24, 2018, the Commission voted 5-0 to recommend approval of zoning change SU-18-0031.

Untitled Map

Write a description for your map.

Legend



(22)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A BAIL BOND AGENCY USE WITHIN A CENTRAL AREA (CA) ZONING DISTRICT, LOCATED AT 200 E JEFFERSON STREET, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4A, BLOCK 24 IN THE ORIGINAL TOWN WAXAHACHIE 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 CA; 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 SU-18-0032. 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 CA to CA, with an SUP in order to permit a Bail Bond Agency use on the following property: Lot 4A, Block 24 of the Original Town Waxahachie subdivision, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

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 _____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

83)

Planning & Zoning Department

Plat Staff Report

Case: PP-17-0171



MEETING DATE(S)

Planning & Zoning Commission: January 23, 2018

City Council: February 5, 2018

CAPTION

Consider request by Brandon O'Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171)

CASE INFORMATION

Applicant: Brandon O'Donald, Pape-Dawson Engineers, Inc.

Property Owner(s): 112 LLC and Mountain Creek Partner III, LLC

Site Acreage: 213.536 acres

Number of Lots: 610 residential and 19 open space lots

Number of Dwelling Units: 610 units

Park Land Dedication: The applicant's park land dedications are covered under the North Grove Planned Development.

Adequate Public Facilities: This development will be on City water and sewer.

SUBJECT PROPERTY

General Location: South and West of Grove Creek Road, East of US Highway 77

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

Current Zoning: Planned Development – Ordinances 2733, 2841, 2870

Existing Use: Currently undeveloped

Platting History: J.W. Wright Survey, Abstract No. 1182

Site Aerial:**STAFF CONCERNS**

1. Planning Comments
 - a. Include the square footage of the X lots as a lot table.
 - b. Block 2, Lot 29 is missing a square footage.
2. Engineering Comments
 - a. Need floodplain zone notes with FIRM number and Effective date. On construction plans include the Base Flood Elevation provided in the FEMA maps and ensure the buildings are a minimum of 1 foot above the floodplain (recommend 2 foot freeboard).
 - b. Need ROW dedication for Grove Creek Road (60-foot for Collector.)
 - c. TIA is still necessary and it should state the roadway connections necessary for the different phases?
 - d. TIA, Downstream Assessment or detention is necessary for this development.
 - e. Cannot cross into existing property in Arbors with the ROW.
 - f. Does not appear to be 60 feet ROW on the drawings.
 - g. Please show the exhibit provided by email and/or show sidewalk along the parking spaces (within easement).
 - h. 42.5' Radius per Pape-Dawson Fire Truck AutoTurn previously provided for Estates of North Grove.
 - i. Internal Radius? Will a fire truck be able to make this turn with vehicles parked along this road? This does not match the Estates of North Grove Knuckles. Provide AutoTurn for these details.
 - j. How will the 12-inch water from the Arbors be installed between their property and this development?
 - k. Will need to send this to consultant to analyze the sewer this development based on this note.
 - l. Need inlet calculations for the on-grade.
 - m. Sump is usually 1 cfs/ft, unless you can provide calculations to the contrary.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions that resulted in the above comments. Applicant is working to address staff comments at the present time.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Planning Comments
 - a. Include the square footage of the X lots as a lot table.
 - b. Block 2, Lot 29 is missing a square footage.
 2. Engineering Comments
 - a. Need floodplain zone notes with FIRM number and Effective date. On construction plans include the Base Flood Elevation provided in the FEMA maps and ensure the buildings are a minimum of 1 foot above the floodplain (recommend 2 foot freeboard).
 - b. Need ROW dedication for Grove Creek Road (60-foot for Collector.)
 - c. TIA is still necessary and it should state the roadway connections necessary for the different phases?
 - d. TIA, Downstream Assessment or detention is necessary for this development.
 - e. Cannot cross into existing property in Arbors with the ROW.
 - f. Does not appear to be 60 feet ROW on the drawings.
 - g. Please show the exhibit provided by email and/or show sidewalk along the parking spaces (within easement).
 - h. 42.5' Radius per Pape-Dawson Fire Truck AutoTurn previously provided for Estates of North Grove.
 - i. Internal Radius? Will a fire truck be able to make this turn with vehicles parked along this road? This does not match the Estates of North Grove Knuckles. Provide AutoTurn for these details.
 - j. How will the 12-inch water from the Arbors be installed between their property and this development?
 - k. Will need to send this to consultant to analyze the sewer this development based on this note.
 - l. Need inlet calculations for the on-grade.
 - m. Sump is usually 1 cfs/ft, unless you can provide calculations to the contrary.

ATTACHED EXHIBITS

1. Preliminary plat drawings
2. Street layout drawings
3. Water layout drawing
4. Sewer layout drawing
5. Storm layout drawing
6. Tree preservation plan drawing
7. Landscape plan drawings
8. Irrigation plan drawings
9. Entry feature drawing

APPLICANT REQUIREMENTS

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

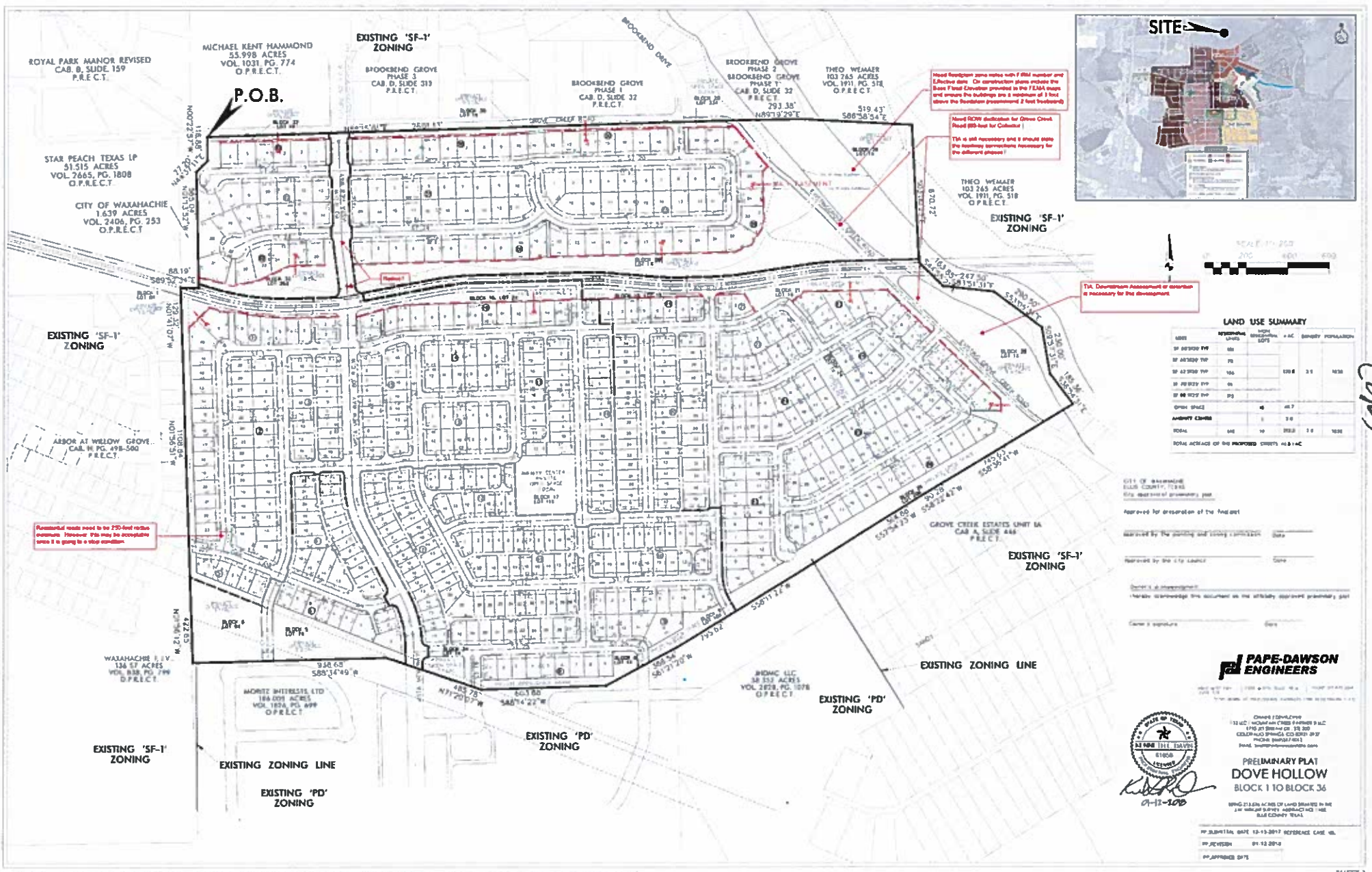
STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner I
kdent@waxahachie.com

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held January 23, 2018, the Commission voted 7-0 to recommend approval of plat no. PP-17-0171, subject to staff comments. The landscape plan was approved, as presented, in a 7-0 vote.



LAND USE SUMMARY

LAND USE	ACRES	PERCENTAGE	TOTAL ACRES	PERCENTAGE
RESIDENTIAL	100	100%	100	100%
COMMERCIAL	0	0%	0	0%
INDUSTRIAL	0	0%	0	0%
AGRICULTURE	0	0%	0	0%
OPEN SPACE	0	0%	0	0%
TOTAL	100	100%	100	100%

TOTAL ACRES OF THE PROPOSED TRACT: 100.0 AC

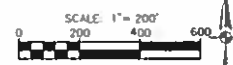
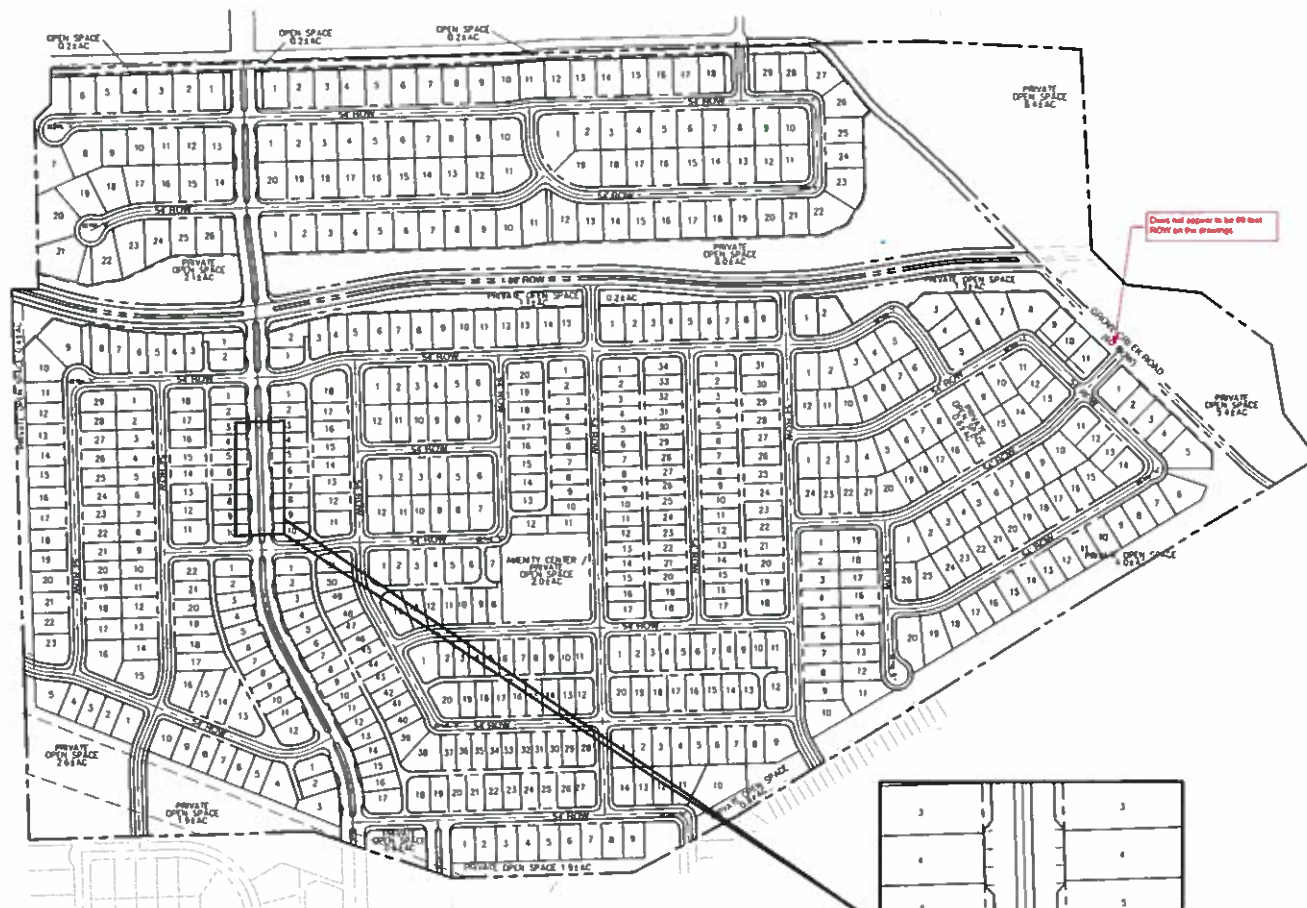


PRELIMINARY PLAT
DOVE HOLLOW
BLOCK 1 TO BLOCK 36

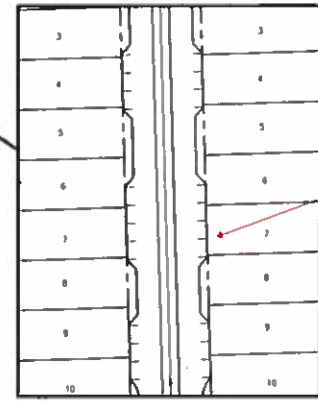
PP SUBMITTAL DATE: 10-13-2017 REFERENCE CASE NO.
PP REVISION: 01-12-2018
PP APPROVED DATE:

South 57 degrees 54 minutes 23 seconds West, a distance of 364.88 feet to a point for corner;

PP_SUBMITED DATE 4-15-17 REFERENCE CASE NO.
PP_RESOLUTION 05-12-18
PP_APPROVED DATE



- NOTES**
1. THE LAYOUT FOR THIS PROJECT WAS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (NAD83) AS SHOWN FROM STA 10: COORDINATE AND AREA/PERMITS CALCULATED.
 2. THIS PROPERTY IS ZONED PD-17.



TYPICAL ROADWAY - 80' R.O.W.
NOT TO SCALE



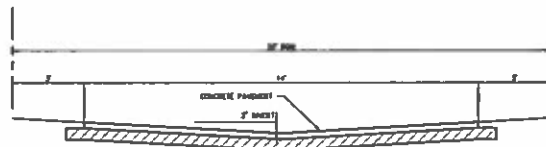
FOUR NORTH | DALLAS | AUSTIN | HOUSTON | DALLAS
 6500 WEST FRY, STE 700 | FORT WORTH, TX 76116 | 817.670.8645
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, LICENSE #100, FIRM REGISTRATION #4176

DOVE HOLLOW PRELIMINARY STREET LAYOUT

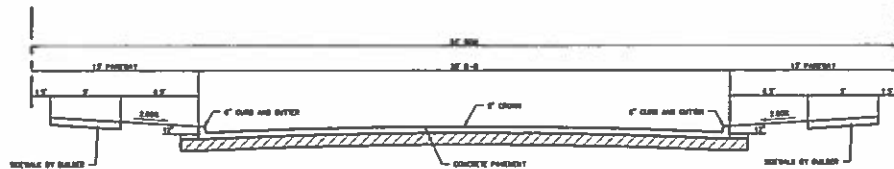
1/12/2018

SHEET 5

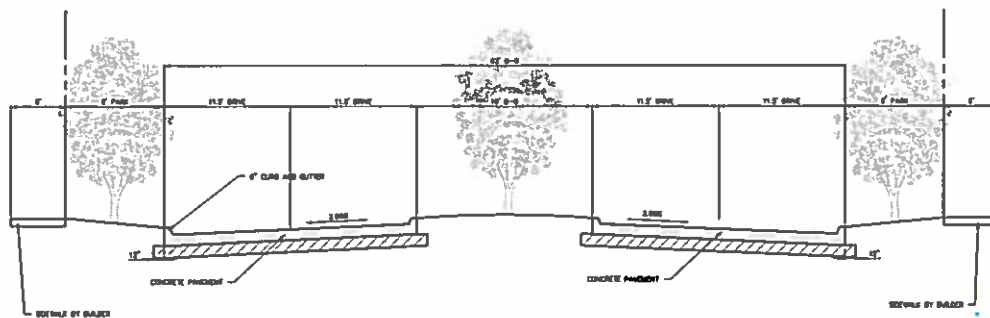
(109)



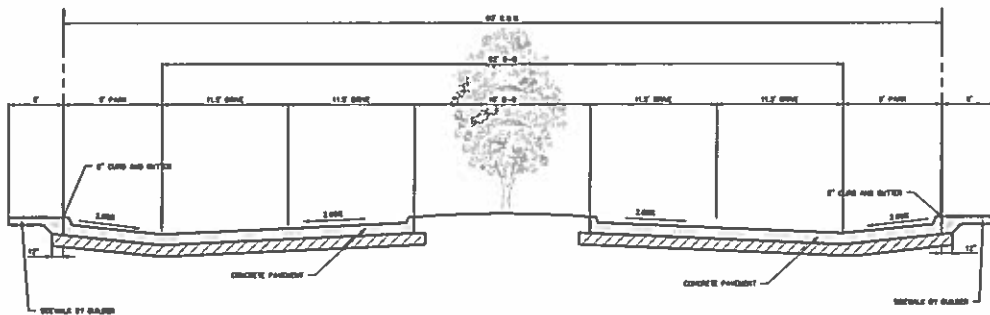
TYPICAL ALLEY SECTION
NOT TO SCALE



TYPICAL ROADWAY SECTION - 54' R.O.W.
NOT TO SCALE

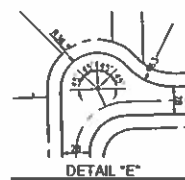
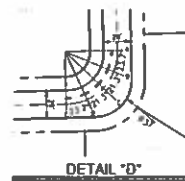
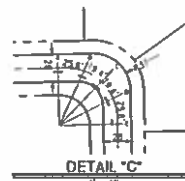
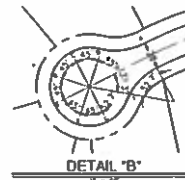
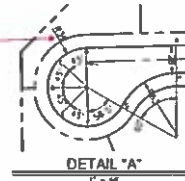


TYPICAL ROADWAY SECTION - 80' R.O.W.
NOT TO SCALE



TYPICAL ROADWAY SECTION - 80' R.O.W.
NOT TO SCALE

12' R Radius per
Paper-Design if no Turn
Auto Turn previously
provided for 12' radius of
Turn Circle

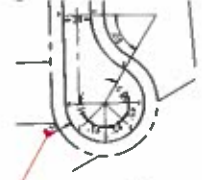
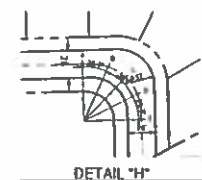
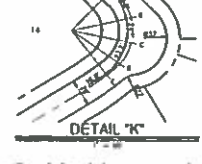
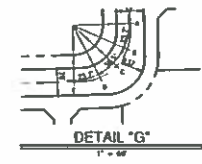
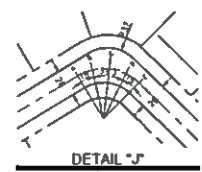
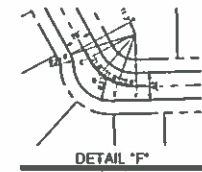


NOTES

1. THE MEASUREMENT FOR THIS MAP IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, ZONE 14N, AS DERIVED FROM EXACT COORDINATES AND MEASUREMENTS CALIBRATED TO THE
2. THIS PROPERTY IS ZONED PD-412



LOCATION MAP
NOT TO SCALE



12' R Radius per work
with Paper-Design
previously

Intersecting Radius

100' R Radius per work
with Paper-Design
previously

**PAPE-DAWSON
ENGINEERS**

1001 WEST 10TH STREET, SUITE 200, FORT WORTH, TEXAS 76102-2100
TELEPHONE: 817.335.1000 FAX: 817.335.1001

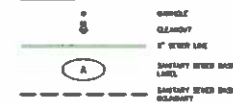
DOVE HOLLOW PRELIMINARY STREET LAYOUT

1/12/2018

SHEET 6



LEGEND



LOCATION MAP

NOT TO SCALE



SCALE: 1" = 200'



NOTES

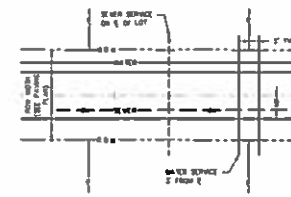
- THE BEARINGS FOR THIS SURVEY ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE (1402) AS DERIVED FROM STATIC OBSERVATION AND NOAA/DGPS CALCULATIONS.
- THIS PROPERTY IS ZONED PD-117.
- EXISTING SEWER FLOWS ARE DERIVED FROM THE CITY'S EXISTING WASTEWATER MASTER PLAN. WE STRONGLY RECOMMEND A FLOW STUDY BE DONE TO DETERMINE THE ADEQUACY OF THE EXISTING SYSTEM.

PROPOSED SEWER CALCULATIONS

AREA	SIZE (sq)	NUMBER OF LOTS	AVG. FLOW (MGD)	PEAKING FACTOR	PEAK FLOW (MGD)	INFILTRATION (MGD)	TOTAL FLOW (MGD)	PROPOSED OUTFALL PIPE (MGD)	CAPACITY (MGD)
A	64.9	258	0.06	5	0.25	0.05	0.30	8" @ 0.11%	0.50
B	38.4	112	0.04	5	0.20	0.03	0.23	8" @ 0.36%	0.48
C	32.8	128	0.05	5	0.24	0.02	0.26	8" @ 0.36%	0.48
D	28.1	102	0.04	5	0.18	0.02	0.20	8" @ 0.36%	0.48

EXISTING SEWER TRUNK LINE CHECK

SEGMENT NO.	DESIGN FLOW (MGD)	SIZE (in)	SLOPE (%)	CAPACITY (MGD)	CAPACITY USAGE (%)	SIZE (in)	SLOPE (%)	CAPACITY (MGD)	CAPACITY USAGE (%)
1	1.23	12.0	0.74	1.88	65%	12.0	0.74	1.88	34%
2	1.81	12.0	0.86	2.18	83%	12.0	0.86	2.18	30%
3	2.32	12.0	0.94	2.11	100%	15.0	0.84	3.82	29%
4	2.32	12.0	0.94	2.11	100%	15.0	0.84	3.82	29%
5	2.32	12.0	0.94	2.11	100%	15.0	0.84	3.82	50%

TYPICAL SERVICE LOCATION
NOT TO SCALE

PAPE-DAWSON ENGINEERS

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FAX: 817.679.3000 • WWW.PAPE-DAWSON.COM

DOVE HOLLOW
PRELIMINARY SEWER LAYOUT

1/12/2018

SHEET 8

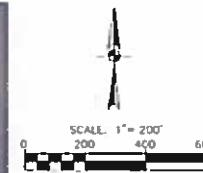
183

2. See PROPERTY 45 ZONED R-1000

9. **MR. AND MRS. JAMES M. GALT**

Give a grade 1 shift, unless you can provide calculations to the contrary.

1/12/2018



LEGEND

- EXISTING TREES TO BE PRESERVED
- EXISTING TREES TO BE REMOVED



NOTES

1. EXISTING TREE SURVEY TO BE PERFORMED AS A FUTURE DATE FOR THE CITY OF WASHINGTON TREE PRESERVATION ORDINANCE.
2. ALL EXISTING TREES TO BE LOGGED, MEASURED AND MONITORED.
3. CITY ORDINANCE WILL BE ADHERED TO REGARDING TREE PRESERVATION AND REMOVAL.

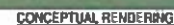
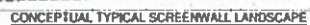
**PAPE-DAWSON
ENGINEERS**

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TEXAS BOARD OF PROFESSIONAL ENGINEERING, PROFESSIONAL REGISTRATION #1410

DOVE HOLLOW PRELIMINARY TREE PRESERVATION PLAN

1/12/2010

SHEET 10



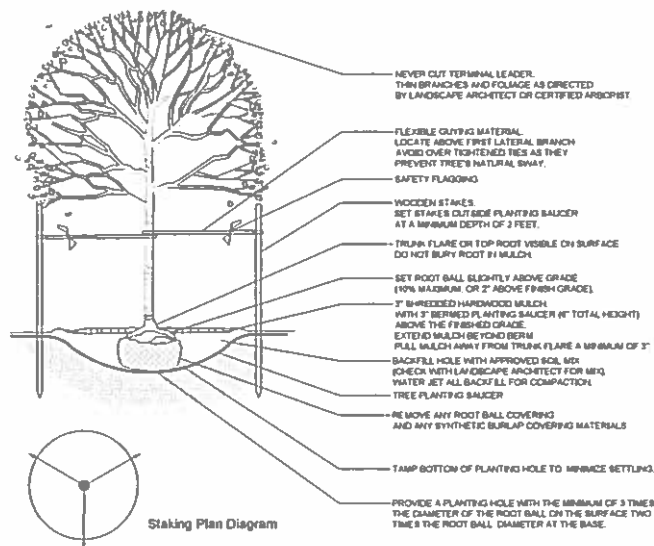
- 4'-6" HT LIME CONC
 4'-6" HT GOLS CEMENT
 4'-6" HT KIMBER LIME
 4'-6" HT SHAPE SHIELD
 7'-3" HT DRAIN MATTER
 10'-12" HT HOT BLUE LIME
 PREPARED FREE SHAPED
 SPED SPACE
 6" HIDE DISCOMPOSED IN-
 6" HIDE CONCRETE SHOWN
 6" HIDE SHAPED SHIELD



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TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION #100

1/12/2019

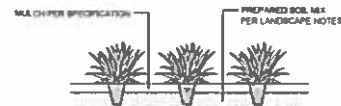
(3)



TREE PLANTING DETAIL

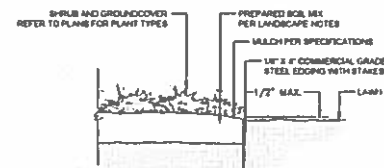
N.T.S.

NOTE
1. ALL TREE SUPPORT MATERIAL ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED. TYPICALLY SIX MONTHS TO
ONE YEAR AFTER PLANTING FOR SHADE TREES.



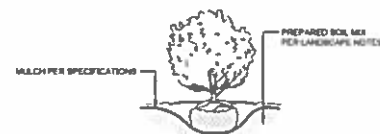
GROUNDCOVER PLANTING DETAIL 12" O.C.

N.T.S.



STEEL EDGING DETAIL

N.T.S.



SHRUB PLANTING DETAIL 30" O.C.

N.T.S.



DECOMPOSED GRANITE DETAIL

N.T.S.



LOCATION MAP
NOT TO SCALE

**PAPE-DAWSON
ENGINEERS**

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6500 WEST 20TH, SUITE 700 | FORT WORTH, TX 76116 | 817.670.2060
TX REG. BOARD OF PROFESSIONAL ENGINEERING. PAPER REGISTRATION #1110

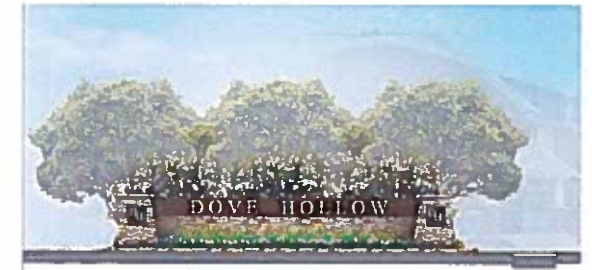
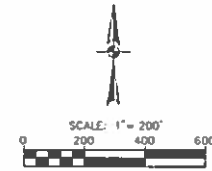
DOVE HOLLOW
PRELIMINARY LANDSCAPE DETAILS

1/12/2018

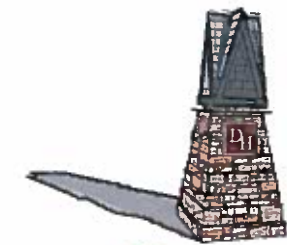
SHEET 12

Date: Jan 12, 2018, 2:14 PM User: [redacted]
 Project: [redacted]
 Location: [redacted]
 Drawing: [redacted]
 Scale: [redacted]
 Sheet: [redacted]

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 **CONCEPTUAL ENTRY FEATURE TYPE A**



 **CONCEPTUAL ENTRY FEATURE TYPE B**

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TEXAS BOARD OF PROFESSIONAL ENGINEERS, CIVIL ENGINEER LICENSE 44170

DOVE HOLLOW ENTRY FEATURE LOCATIONS

1/12/2018



Date: 1/12/2018, 10:10 AM, User: G. Brown
 Project: Dove Hollow Entry Features
 Drawing: Entry Feature Locations
 Description: This drawing shows the proposed entry features for Dove Hollow. The entry features are located at the intersection of the property boundary and the street grid. The entry features are shown as red gear icons. The entry features are labeled 'CONCEPTUAL ENTRY FEATURE TYPE A' and 'CONCEPTUAL ENTRY FEATURE TYPE B'. The entry features are located at the intersection of the property boundary and the street grid. The entry features are shown as red gear icons. The entry features are labeled 'CONCEPTUAL ENTRY FEATURE TYPE A' and 'CONCEPTUAL ENTRY FEATURE TYPE B'. The entry features are located at the intersection of the property boundary and the street grid. The entry features are shown as red gear icons. The entry features are labeled 'CONCEPTUAL ENTRY FEATURE TYPE A' and 'CONCEPTUAL ENTRY FEATURE TYPE B'.

(23)

Wright, Destiny

From: Brandon O'Donald @PD <BODonald@pape-dawson.com>
Sent: Monday, April 16, 2018 7:29 AM
To: Brooks, Shon
Cc: Wright, Destiny; david@d2dev.com; Nelson Somerville; Kenneth Davis; Scott, Michael; Brett Hess; Troy Thomas @PD
Subject: Letter of Support for Dove Hollow
Attachments: Letter of Approval Star Peach.pdf

Shon,

Per our conversation last week, here is the requested letter of support for offsite improvements west of the Dove Hollow development. Please let me know if you have any questions or need anything else from us.

Thank you.

Brandon O'Donald, P.E. | Vice President
Pape-Dawson Engineers, Inc.
TBPE Firm Registration #470

One Ridgmar Centre, 6500 West Fwy., Suite 700, Fort Worth, TX 76116
P: 817.870.3668 | **E:** BODonald@pape-dawson.com

Fort Worth | San Antonio | Austin | Houston | Dallas

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(23)

4/8/2018

To: The City of Waxahachie
Mayor and City Council
Planning Department

From: Star Peach Texas
3710 Beverly Ln.
Arlington, TX 76015
Property Owner 52 Acres Hwy 77
Legal Description:

We are in receipt and have studied the latest proposed Site Plan from D2 Development dated for Dove Hollow, a 213 acre single family residential subdivision that adjoins our property to the east and Phase II of the North Grove Planned Development.

Star Peach is in support of the site plan and recognize the realignment of the collector roads and potential additional off site improvements that impact our ownership. Star Peach will cooperate and work with the Developer of Dove Hollow, executing a mutually agreed upon development agreement between parties and recognize that we will be asked as the land owners of the 52 acres, to dedicate a future undetermined ROW for the purpose of building an access road connecting the collector road known as Jordan Way to North Grove Boulevard. We also recognize that there may also be required improvements needed at the corner of Grove Creek and Hwy 77 in the form of intersection improvements which may include improved and widened pavement, lighting and signage.

We agree to dedicate upon a mutually agreed upon site and development plan, any Right Of Way or easements associated with the offsite improvements for Dove Hollow, required by the city of Waxahachie. Star Peach will however, not be responsible for any cost involved in the planning engineering or construction of such improvements of Dove Hollow, required of by the City of Waxahachie.

This is not recognized as a legally binding document but rather a letter of support in the spirit of the development of Dove Hollow.


Star Peach

4/12/18
Date

(23)



Memorandum

To: Honorable Mayor and City Council

From: Kelly L. Dent, Planner

Thru: Michael Scott, City Manager

Date: May 4, 2018

Re: PP-17-0171

A revised agreement to grant access and ROW through North Grove will be provided before the City Council Meeting.

(23)

AGREEMENT TO GRANT ACCESS AND RIGHT-OF-WAY

THIS AGREEMENT TO GRANT ACCESS AND RIGHT-OF-WAY is entered into between JHH Property Acquisition Services, LLC ("JHH") and D2 Investments, Inc. ("D2"). JHH and D2 may be referred to herein, collectively, as "the Parties."

RECITALS

A. JHH is the owner of a certain tract of land generally known or to be known as **North Grove**, which is under development as a mixed-use, but primarily residential, area consisting of single-family home sites, public parks, schools, and road/utility infrastructure.

B. D2 is the owner of a certain tract of land adjacent to North Grove, and generally known or to be known as **Dove Hollow**, which is under development as a residential area consisting of single-family home sites, open space, and road/utility infrastructure.

C. The development plan of Dove Hollow presently calls for vehicular and pedestrian access through an 80-foot right of way, known or to be known as **Vista Way**. As planned, Vista Way requires access through North Grove, connecting as shown on the Preliminary Plat of Dove Hollow attached hereto as **Exhibit A**.

D. JHH will agree to provide access, rights-of-way, and if necessary, an easement, over and across the portion of North Grove currently planned and set aside for Vista Way, thus providing access between Dove Hollow and public roadways connecting to Vista Way within North Grove, contingent on the fulfilment of this Agreement.

E. D2 will agree, in exchange for such access, rights-of-way, and if necessary, an easement, to construct, at its cost, Vista Way, within North Grove and Dove Hollow, in accordance with all applicable specifications, plans and requirements of the North Grove development plan, and local, state and federal government. Construction of Vista Way by D2 will include appurtenant infrastructure, including but not limited to water, sanitary sewer and drainage facilities.

AGREEMENT

In consideration of the foregoing recitals, which are deemed substantive terms, and for and in consideration of the covenants contained herein and other valuable consideration, the Parties agree as follows:

1. D2 agrees to construct Vista Way according to existing plans and all applicable government requirements as an eighty foot (80') right of way, at D2's sole cost and expense, as Vista Way is depicted on North Grove plans attached hereto as **Exhibit B**, from North Grove Blvd. north to Dove Hollow.

2. D2 agrees to commence construction within ~~105~~ **two (2)** years of execution of this Agreement, and agrees to complete construction within two (2) years of commencement. "Commence construction" as used in this paragraph means that D2 will have (i) completed all preconstruction engineering and design, (ii) received all necessary licenses, permits, and local and national environmental clearances, (iii) engaged all contractors and ordered all essential

(23)


equipment and supplies as can reasonably be considered necessary so that physical construction of the project may begin and proceed to completion without foreseeable interruption of material duration, and (iv) begun physical construction (including, at a minimum, excavation for foundations or the installation or erection of improvements) at the primary site of the project.

3. JHH agrees to provide D2 access, rights-of-way, and if necessary, an easement to allow the construction of Vista Way and the connection of same between North Grove and Dove Hollow.


4. The parties agree to act in good faith to give effect to this Agreement and to carry out their respective duties hereunder.

5. The parties agree to execute further documentation as may be reasonably required to carry out their respective obligations under this Agreement.

JHH Property Acquisition Services, LLC
A Texas limited liability company


Name: Suzette Crow
Title: Secretary

D2 Investments, Inc.
A Texas corporation


Name: David G. Davis
Title: President

(83)

Exhibit A

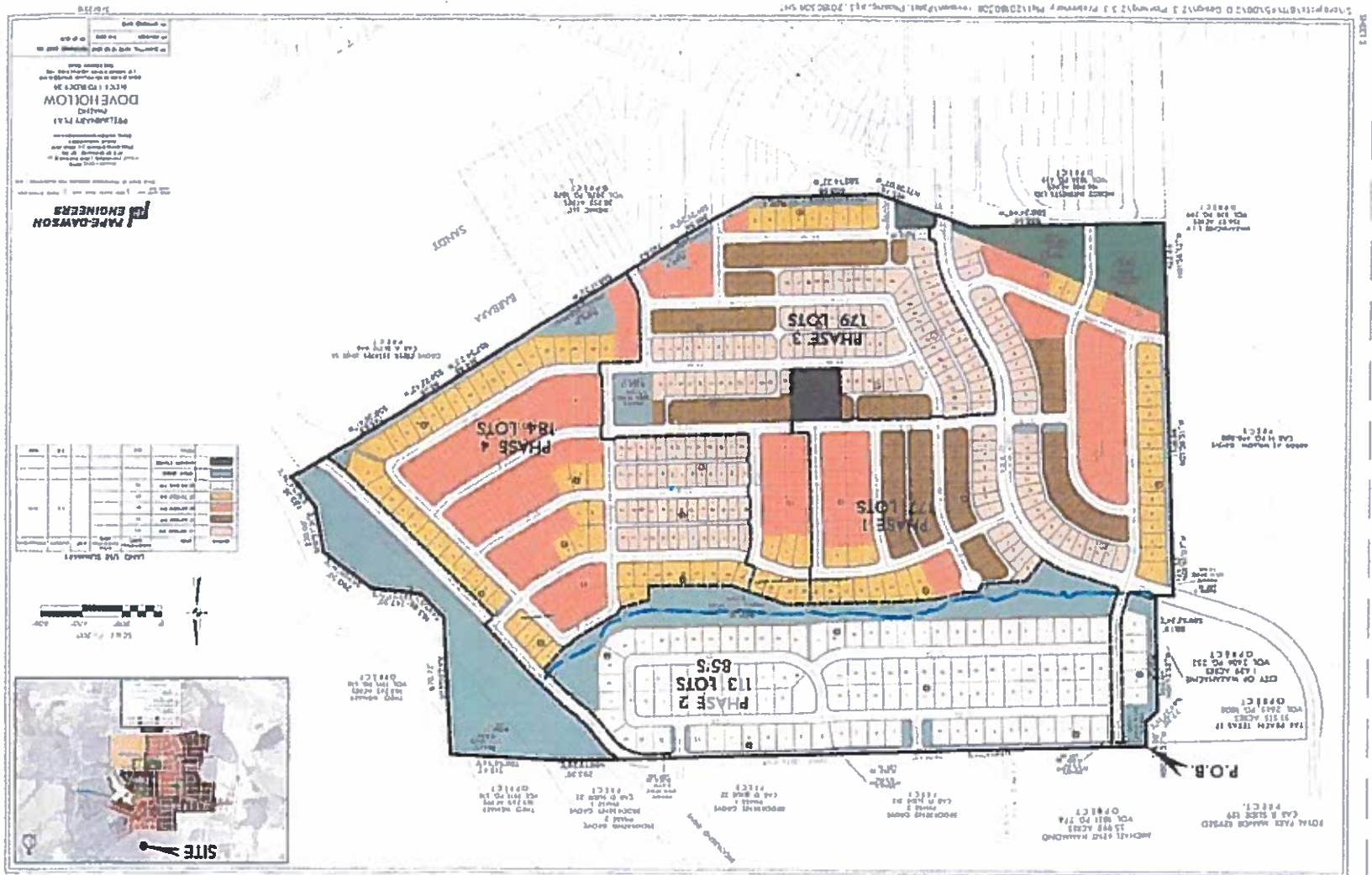
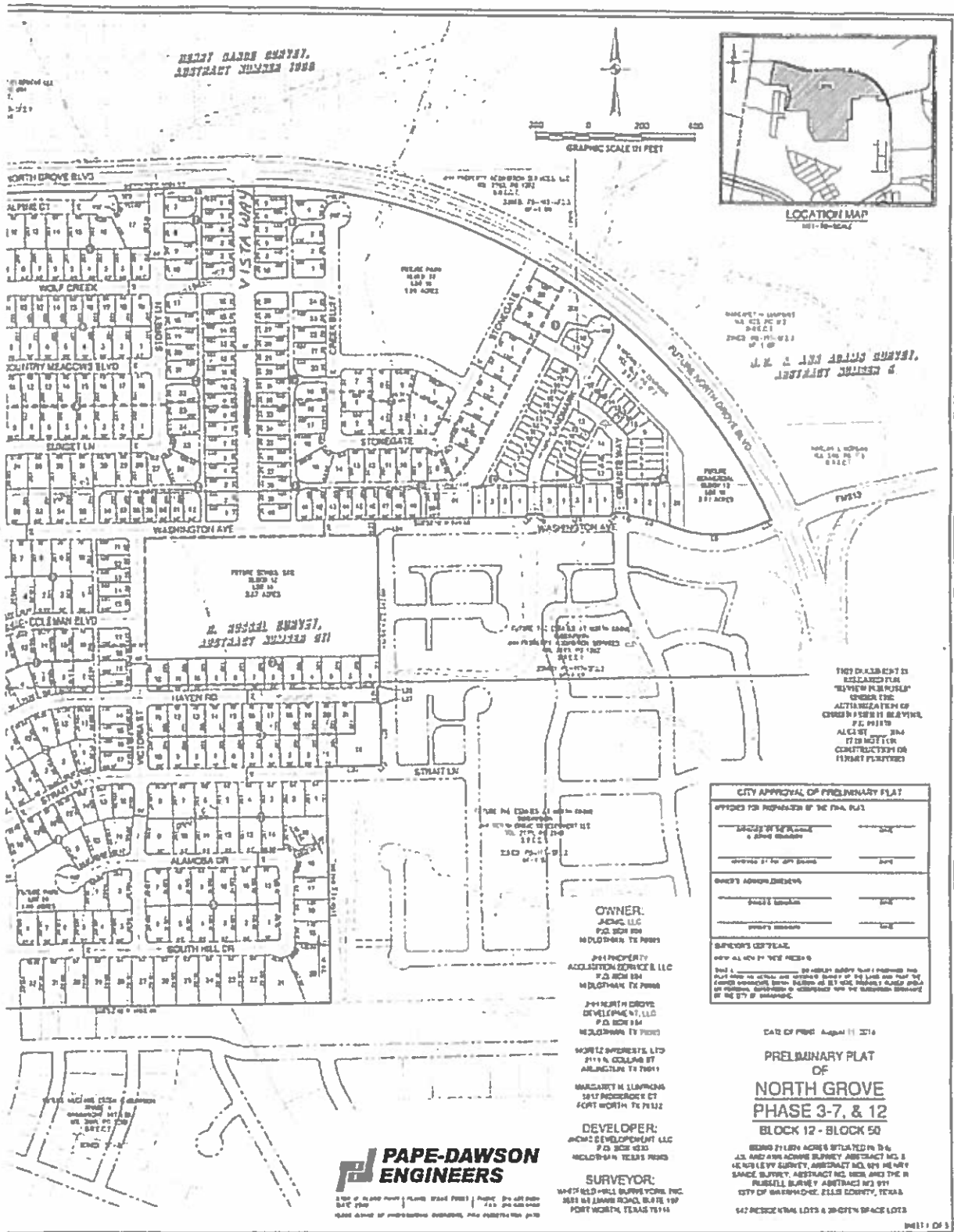


Exhibit B



TYPICAL ROADWAY SECTION - 80' R.O.W.

[illegible]

ՀԱՅԱՍՏԱՆԻ ԿՈՄՄՈՆԻՍՏԱԿԱՆ ԿԵՆՏՐԱԼԻ ՄԱՍԻՆ
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Exhibit B



(23)

D2 INVESTMENTS, INC.

Real Estate Investment, Development, Marketing & Management

AGREEMENT TO CONSTRUCT

D2 Investments, Inc., as managing member of a to-be-formed Dove Hollow LLC, hereby agrees to build Jordan Way (or Vista Way, as it may be called) to the extent required by the Traffic Impact Analysis, from North Grove Blvd. to and through the proposed Dove Hollow subdivision. Agreements for Rights of Way and easements through North Grove down to North Grove Blvd. have been reached by the parties. Documentation forthcoming.

David C. Davis
President, D2 Investments, Inc.,
Managing Member of Dove Hollow LLC
3 May 2018



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Executive Director of Development Services
Thru: Michael Scott, City Manager
Date: May 4, 2018
Re: Clarifier Number Two - Mechanism Howard Road Water Treatment Plant

On Monday May 7, 2018 an agenda item associated with the replacement of the clarifier number two mechanism at the Howard Road Water Treatment Plant will appear before City Council for its consideration in an amount of \$172,411.00. Envirodyne Systems, Inc. was the lowest responsive bidder of 4 proposers, with a submission that was \$27,729 below the next lowest bidder. Clarifier number two provides critical redundancy at the Howard Road Water Treatment and unfortunately the equipment has reached its life and is currently no longer in service.

On February 2nd City Council was made aware via a memorandum that clarifier number two had become inoperable and was in need of replacement. At that time, staff anticipated the bid award for the replacement clarifier mechanism would appear before Council in May, with an estimated cost of \$300,000. The bid award will successfully appear before City Council at the first meeting in May, and the Envirodyne System, Inc. bid came in \$127,589 below anticipated costs. The original memorandum from February is attached, for your reference.

This project will ultimately be funded through certificate of obligation bonds, which are anticipated to be sold in early Summer 2018. Certain project costs may be incurred in advance of the availability of the aforementioned bond proceeds; therefore to the extent that these costs may become due before bond funds are available, the Water Fund will cash-flow these payments with surplus Working Capital. Current Working Capital balances are more than sufficient for the maximum

(24)

amount of funds committed. There is a companion resolution to this agenda item authorizing a reimbursement to the Water Fund's Working Capital from future bond sales.

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

Tommy Ludwig

(24)



**ALAN PLUMMER
ASSOCIATES, INC.**

**ENVIRONMENTAL
ENGINEERS AND SCIENTISTS**

0472-034-01

May 1, 2018

Mr. David Bailey
Director of Utilities
City of Waxahachie
401 S. Rogers
Waxahachie, Texas 75168

Re: City of Waxahachie
Howard Road Water Treatment Plant
Flocculating Clarifier Equipment Supply
Recommendation of Award

Dear Mr. Bailey:

On Tuesday, April 17, 2018, four bids from flocculating clarifier manufacturers were received, opened and publicly read aloud at the Waxahachie Council Chambers in Waxahachie, Texas for the above-referenced project. The bids were as follows:

Equipment Manufacturer	Total Base Bid
Envirodyne Systems, Inc.	\$172,411.00
Walker Process Equipment, McNish Corporation	\$200,140.00
Envirex, Evoqua Water Technologies	\$216,460.00
WesTech Engineering	\$251,985.00

Envirodyne Systems, Inc. is the apparent low bidder with a bid of \$172,411.00. The flocculating clarifier equipment bid came in below the engineer's estimated probable cost. Envirodyne Systems, Inc. was added to the approved bidders list by Addendum No. 1, after receiving and reviewing Envirodyne Systems, Inc.'s prebid submittal package. During the prebid submittal package review, we conducted reference calls regarding Envirodyne Systems, Inc.'s equipment on multiple past projects. The references contacted provided positive feedback regarding their Envirodyne Systems, Inc. equipment. We contacted the surety company and they stated that the submitted bid bond is valid. Therefore, we recommend award of the equipment supply to Envirodyne Systems, Inc. in the amount of \$172,411.00.

The completed bid tabulation and bid packages from all four vendors are also enclosed.

Please call me if you have any questions. We look forward to continuing working with you on this project.

Sincerely,

ALAN PLUMMER ASSOCIATES, INC.

Marshall Plunk
Marshall Plunk, PE (Texas No. 114483)
Project Manager, Water Treatment Design

Enclosures





Memorandum

To: Honorable Mayor and City Council

From: Tommy Ludwig, Executive Director of Development Services

Thru: Michael Scott, City Manager

Date: February 2, 2018

Re: Howard Road Water Treatment Plant Clarifier Replacement

As a part of the Utilities Department's operating and maintenance budget for this fiscal year, staff incorporated the replacement of a dual media filter system and a dual wall fluoride bulk storage tank and protective coatings replacement at the Howard Road Water Treatment Plant. Recently clarifier number 2 at the Howard Road Plant has become inoperable and is now in need of replacement. Staff did not anticipate this equipment reaching its end of life, and as a result, it was not included in the Department's operating budget or 5 year Capital Improvement Plan. There are currently three clarifiers at the Howard Road Plant and with clarifier number 2 down, the plant has lost critical redundancy to its treatment process. Clarifier number 3 is the primary clarifier and is capable of treating 15.3 mgd, however if it fails or is brought down for service while Clarifier No. 2 is inoperable, the plant is not capable of meeting daily average treatment demands of 5.8 mgd.

On February 5th an item will appear before the City Council to approve a budget amendment appropriating an additional \$30,786 in funding from the Utilities Department's Water Operating Fund. This appropriation will be utilized to pay for engineering design services associated with the clarifier's replacement. Upon approval of this budget amendment, the City Manager will execute a professional services engineering design contract, which will include the aforementioned clarifier, filter, and fluoride bulk storage tank. Once equipment specifications have been prepared and the design work has been completed, future items will appear before

(24)

the City Council associated with equipment and construction costs for these improvements.

Future Agenda Items & Budget Amendments:

Traditionally clarifiers have a 30 week lead time, as they are manufactured only once a purchase order has been approved. As a result, the clarifier will be bid separate and apart from the filter and fluoride tank in an effort to receive the equipment as quickly as possible. As the clarifier was not an anticipated expense, an additional budget amendment to increase the Utilities Department's appropriations will accompany the purchase of this equipment. Staff anticipates the purchase of the clarifier to appear before City Council in May 2018, with an estimated cost of \$300,000.

The equipment for the filter and fluoride tank and the installation for the clarifier, filter, and fluoride tank will be bid together. The Utilities Department budgeted \$285,200 for design, equipment, and installation costs associated with the filter and fluoride tank. Based off of the current engineer's estimates the costs for these two items will be \$348,900; in an increase in the initial cost estimate of \$63,700. This increase in cost is primarily based on inflation in engineering design and construction fees. The installation of the clarifier is projected to be \$226,000. Staff anticipates that the award of these bids will appear before City Council in July 2018, with an approximate total cost of \$574,900. A budget amendment will accompany this item to increase the Utilities Department appropriations for expenditures approve the budgeted \$285,200.

Staff has coordinated with the Finance Department and confirmed that City can accommodate these budget increases without adverse fiscal impacts. Increases in appropriations will be funded either through Utilities Department operating funds or bond funds, depending upon final bid prices.

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

Tommy Ludwig

(25)

RESOLUTION NO.

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURCHASE OF A REPLACEMENT CLARIFIER MECHANISM AT THE HOWARD ROAD WATER TREATMENT PLANT

WHEREAS, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for the purchase of a replacement clarifier mechanism at the Howard Road Water Treatment Plant, and related expenses prior to the issuance of such debt with the expectation that such expenditures are to be reimbursed with proceeds of such debt; and

WHEREAS, Treas. Reg. § 1.150-2 (the "Regulation") provides that to fund such reimbursement with proceeds of tax-exempt obligations the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the expenditures with proceeds of tax-exempt obligations.

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

SECTION 1

That the City reasonable expects to reimburse the Water Fund's Working Capital with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 2

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution including a loan from Working Capital in an amount not to exceed \$180,000

SECTION 3

That this resolution shall take effect immediately from and after the date of passage.

ADOPTED THIS 7th day of May, 2018.

MAYOR

ATTEST:

City Secretary